OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

TO : Mr. W. R. Wannall

DATE: 4/19/74

FROM : F. S. Putman, Jr.

SUBJECT: DANIEL ELLSBERG

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Purpose is to record deletions from certain Bureau documents furnished by the Department to the Watergate Special Prosecution Force (WSPF).

[redacted]

Attached for record purposes are Xerox copies of those Bureau communications copies of which are being furnished to WSPF by the Department. Those portions of these copies which are circled in red denote the deletions which were made from those copies being furnished by the Department to WSPF. *

ACTION:

None. For record purposes.

Enclosures
ENCL BEHIND FILE
65-74060

WWH:sjg
(3)

* The copies of the FBI communications furnished by the Department to WSPF were Departmental copies and therefore, did not contain signatures of FBI officials or Bureau administrative data.

ROUTE IN ENVELOPE

MAY 6 1974

SPEC. MAIL RM.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

TO : Mr. W. R. Wannall

FROM : F. S. Putman, Jr.

SUBJECT: DANIEL ELLSBERG; BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

1 - Mr. W. R. Wannall
1 - Mr. A. J. Decker
DATE: 5/29/74
1 - Mr. J. R. Wagoner
1 - Mr. W. W. Hamilton

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Classified "Confidential" to protect sensitive Bureau technique.

By memorandum to the Director dated 5/20/74, (Attached) Watergate Special Prosecution Force (WSPF) requested the Bureau to determine whether we were ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family, and/or Dr. Lewis J. Fielding during the period from January, 1969, to the present. WSPF stated that in responding to this request, we should include a search of appropriate Bureau files and interview Bureau personnel who logically would have been involved in considering such a wire tap proposal. WSPF further stated that former Bureau officials W. Mark Felt and William C. Sullivan would be interviewed by WSPF and need not be interviewed by the Bureau.

Present and former Bureau personnel other than Felt and Sullivan, who would logically have been involved in considering any such electronic surveillance proposal are W. Raymond Wannall, Andrew J. Decker, James R. Wagoner, Charles D. Brennan, Donald E. Moore (retired) and Eugene R. Harrell (retired). *

Attached for each recipient is a completed FD-302 stating, in each instance, that the individual concerned has no knowledge or recollection of any request made to the Bureau to conduct an electronic surveillance of Daniel Ellsberg, members of his family or of Dr. Fielding, his psychiatrist. Recipients are

Enclosures - 4

REC-49 4735

WWH:mjg
(5)

ST-111

CONTINUED - OVER

~~CONFIDENTIAL~~
Classified by 5342
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

9 JUN 12 1974

*Upon suggestion of Mr. Mintz, Bernard A. Wells will also be interviewed.

6 ROUTE IN ENVELOPE

5-Wal
65-74067

CONFIDENTIAL

Memorandum to Mr. W. R. Wannall
Re: Daniel Ellsberg; Burglary of Office
of Dr. Lewis J. Fielding

requested to review the FD-302 bearing their name and, if the facts are correct, to affix their initials in the lower left-hand corner next to their name. Supervisor W. W. Hamilton will submit FD-302 attesting to the fact that pertinent Bureau files and records do not contain any request for such an electronic surveillance.

Interviews of retired personnel will be handled by appropriate field offices.

ACTION:

If approved, recipients are requested to review and initial attached FD-302s and return to SA W. W. Hamilton, Room 706, 9th & D Building.

CONFIDENTIAL

INVENTORY

1. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated July 13, 1971 Captioned "Daniel Ellsberg Electronic Surveillance"

2. Memorandum from A. William Olson, DAAG, ISD, to Mr. James R. Wagoner, FBI, dated July 15, 1971, Captioned "Receipt for Logs - Reference Electronic Surveillance Information Request, etc."

3. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated July 16, 1971, Captioned "Daniel Ellsberg Espionage - X, etc."

4. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated July 16, 1971, Captioned "Electronic Surveillance Information Request:, etc."

5. Memorandum from A. William Olson, DAAG, to Robert C. Mardian, AAG, ISD, dated July 21, 1971, Captioned "Electronic Surveillance Re Daniel Ellsberg; etc."

6. Memorandum from Robert C. Mardian, AAG, ISD, to Director, FBI, dated July 29, 1971, Captioned "Daniel Ellsberg Espionage - X"

7. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated August 3, 1971, Captioned "Daniel Ellsberg Espionage - X"

8. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated August 4, 1971, Captioned "Unknown Subjects: Unauthorized Disclosure of Information Pertaining to the Strategic Arms Limitation Talks (SALT), etc."

9. Memorandum from Robert C. Mardian, AAG, ISD, to Director, FBI, dated August 6, 1971, Captioned "Daniel Ellsberg Espionage-X"

10. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated August 12, 1971 Captioned "Daniel Ellsberg Espionage - X"

11. Memorandum from Robert C. Mardian, AAG, ISD, to Director, FBI, dated August 24, 1971, Captioned "Daniel Ellsberg Espionage - X"

12. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated August 27, 1971, Captioned "Daniel Ellsberg Espionage - X"

13. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated September 7, 1971, Captioned "Daniel Ellsberg Espionage - X"

14. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated September 8, 1971, Captioned "Daniel Ellsberg Espionage - X"

15. Memorandum from A. William Olson, DAAG, ISD, to Mr. Lionel E. Belanger, FBI, dated September 14, 1971, Captioned "Receipt for Logs - Reference Electronic Surveillance, etc." ~~Four page surveillance logs for specified dates attached.~~ per John Martin

16. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated September 15, 1971, Captioned "Daniel Ellsberg Espionage - X"

17. Memorandum from Robert C. Mardian, AAG, ISD, to Director, FBI, dated September 23, 1971, Captioned "Daniel Ellsberg Espionage - X"

18. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated September 27, 1971, Captioned "Daniel Ellsberg Espionage - X"

19. Memorandum from Robert C. Mardian, AAG, ISD, to Director, FBI, dated December 10, 1971, Captioned "Daniel Ellsberg Espionage - X"

20. Memorandum from Director, FBI, to Assistant Attorney General, ISD, dated December 22, 1971, captioned "Daniel Ellsberg Espionage - X"

21. Memorandum from John L. Martin, Chief, A&E Section, to A. William Olson, AAG, ISD, dated February 14, 1973, captioned "U.S. v. Anthony J. Russo, Jr., etc." Attachments: Electronic Surveillance Searches (1 Page), Affidavit (A. William Olson), U.S. District Court Central District of California Order Re. Electronic Surveillance.

INVENTORY

1. Memorandum from Warren P. Reese, AUSA, to John L. Martin, Chief, A&E Section, dated May 10, 1972, Captioned "Request for Investigation re Electronic Surveillance - etc."

2. Two typewritten pages starting "Judge said about the request for disclosure regarding electronic surveillance on May 2."

3. Memorandum from John L. Martin, Chief, A&E Sec., to A. William Olson, AAG, ISD, dated May 22, 1972, Captioned "United States vs. Anthony J. Russo and Daniel Ellsberg Electronic Surveillance"

4. Memorandum from A. William Olson, Acting AAG, ISD, to Acting Director, FBI, dated May 23, 1972, Captioned "United States vs. Anthony J. Russo and Daniel Ellsberg Electronic Surveillance "

5. List of responses received to May 23, 1972 electronic surveillance letters.

X 6. Memorandum from Acting Director, FBI, to Acting Assistant Attorney General, ISD, dated June 5, 1972, Captioned "U.S. vs. Anthony Joseph Russo, Jr. and Daniel Ellsberg Electronic Surveillance"

7. Memorandum from A. William Olson, Acting AAG, ISD, to AG dated June 23, 1972, Captioned "United States vs. Anthony Joseph Russo, Jr. and Daniel Ellsberg Investigation and Disclosure Regarding Electronic Surveillance"

8. Memorandum from Warren P. Reese, Special AUSA, to John L. Martin, ISD, dated July 7, 1972, Captioned United States v. Russo, et al., No. 9373-WMB-CD - Request for Investigation re Electronic Surveillance"

9. U.S. of A. vs. Anthony Joseph Russo, JR., Daniel Ellsberg - Order: Re Defendants' Motion for Disclosure of Electronic Surveillance Filed July 7, 1972

10. Memorandum from A. William Olson, AAG, ISD, to Acting Director, FBI, undated, Captioned "United States vs. Anthony J. Russo, Jr., and Daniel Ellsberg Electronic Surveillance" Typed 7/10/72

11. List of responses received to electronic surveillance letter of July 11, 1972

X 12. Memorandum from A. William Olson, AAG, ISD, to Mr. Lionel E. Belanger dated July 17, 1972, Captioned "Receipt for Log and Supporting Documents Regarding Electronic Surveillance, etc."

X 13. Memorandum from Acting Director, FBI, to Assistant Attorney General dated July 20, 1972, Captioned "United States vs. Anthony Joseph Russo, Jr., and Daniel Ellsberg Electronic Surveillance"

14. List of responses received to electronic surveillance letter of August 4, 1972

X 15. Memorandum from Daniel J. McAuliffe, DAAG, ISD, to Mr. Lionel E. Belanger, FBI, dated August 15, 1972, Captioned "Receipt for Log and Supporting Documents Regarding Electronic Surveillance Information Request August 7, 1972,and July 11, 1972, Regarding Leonard B. Boudin"

X 16. Memorandum from Acting Director, FBI, to Assistant Attorney General, ISD, dated August 17, 1972, Captioned "United States vs. Anthony Joseph Russo, Jr., and Daniel Ellsberg Electronic Surveillance"

17. Memorandum from John L. Martin, Chief, A&E Sec., to A. William Olson, AAG, ISD, dated December 21, 1972, Captioned "U.S. v. Daniel Ellsberg and Anthony J. Russo, Jr., Investigation and Disclosure Regarding Electronic Surveillance"

18. Affidavit - A. William Olson

19. United States District Court Central District of California Order Re. Electronic Surveillance Filed January 16, 1973.

20. Memorandum from John L. Martin, Chief, A&E Sec., to A. William Olson, AAG, ISD, dated February 14, 1973, Captioned "U.S. v. Anthony J. Russo, Jr., and Daniel Ellsberg Electronic Surveillance" Attachment - Affidavit of A. William Olson

X 21. Memorandum from Acting Director, FBI, to Assistant Attorney General, ISD, dated February 21, 1973, Captioned "United States vs. Anthony Joseph Russo, Jr., and Daniel Ellsberg Electronic Surveillance.

22. Memorandum from Acting Director, FBI, to Assistant Attorney General, Criminal Division, dated May 9, 1973, Caption blank.
Attachment - Preliminary Report Concerning Ongoing Investigation of Possible Wire Taps Of Newsmen and Others dated May 9, 1973.

1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 29, 1974

By memorandum dated May 20, 1974, the Watergate Special Prosecution Force (WSPF) made the following request:

> "In connection with this office's investigation of the burglary of the office of Dr. Lewis J. Fielding would the Bureau determine whether the Bureau was ever requested to conduct an electronic surveillance of Dr. Daniel Ellsberg, members of his family, and/or his psychiatrist. This request should cover the period from January 1969 to the present and should include a search of appropriate Bureau files and interviews of Bureau personnel who logically would have been involved in considering such a wiretap proposal. Former Bureau officials W. Mark Felt and William C. Sullivan will be interviewed by this office concerning this matter and need not be interviewed by the Bureau."

I have no knowledge or recollection that the Federal Bureau of Investigation (FBI), or any individual employed by the FBI, was ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family and/or Dr. Lewis J. Fielding, his psychiatrist, during the period from January, 1969, to the present date.

Interviewed on Information Volunteered at Washington, D. C. File # 65-74060

by Andrew J. Decker/mjg Date dictated May 29, 1974

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOS...

FD-302 (REV. 11-27-70)

1

DERAL BUREAU OF INVESTIGATION

Date of transcription May 29, 1974

By memorandum dated May 20, 1974, the Watergate Special Prosecution Force (WSPF) made the following request:

"In connection with this office's investigation of the burglary of the office of Dr. Lewis J. Fielding would the Bureau determine whether the Bureau was ever requested to conduct an electronic surveillance of Dr. Daniel Ellsberg, members of his family, and/or his psychiatrist. This request should cover the period from January 1969 to the present and should include a search of appropriate Bureau files and interviews of Bureau personnel who logically would have been involved in considering such a wiretap proposal. Former Bureau officials W. Mark Felt and William C. Sullivan will be interviewed by this office concerning this matter and need not be interviewed by the Bureau."

I have no knowledge or recollection that the Federal Bureau of Investigation (FBI), or any individual employed by the FBI, was ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family and/or Dr. Lewis J. Fielding, his psychiatrist, during the period from January, 1969, to the present date.

Information Volunteered
Interviewed on _____ at Washington, D. C. File # 65-74060

Date dictated May 29, 1974

James R. Wagoner/mjg

65-74060-1125

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

FD-302 (REV. 11-27-70)

1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 29, 1974

By memorandum dated May 20, 1974, the Watergate Special Prosecution Force (WSPF) made the following request:

> "In connection with this office's investigation of the burglary of the office of Dr. Lewis J. Fielding would the Bureau determine whether the Bureau was ever requested to conduct an electronic surveillance of Dr. Daniel Ellsberg, members of his family, and/or his psychiatrist. This request should cover the period from January 1969 to the present and should include a search of appropriate Bureau files and interviews of Bureau personnel who logically would have been involved in considering such a wiretap proposal. Former Bureau officials W. Mark Felt and William C. Sullivan will be interviewed by this office concerning this matter and need not be interviewed by the Bureau."

I have no knowledge or recollection that the Federal Bureau of Investigation (FBI), or any individual employed by the FBI, was ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family and/or Dr. Lewis J. Fielding, his psychiatrist, during the period from January, 1969, to the present date.

Information Volunteered

Interviewed on _____ at Washington, D. C. File # 65-74060

by W. Raymond Wannall/mjg Date dictated May 29, 1974

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FD-302 (REV. 11-27-70)

1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 12, 1974

Special Agent William W. Hamilton, assigned as a Supervisor in the Intelligence Division of the Federal Bureau of Investigation (FBI), FBI Headquarters, Washington, D. C., conducted a search of pertinent files and records of the FBI on May 28 and 29, 1974, for the period from January, 1969, to the present to determine whether the Bureau was ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family and / or Dr. Lewis J. Fielding, his psychiatrist. During this search, no information could be located which would indicate that the FBI or any individual ever employed by the FBI was ever requested to conduct an electronic surveillance of the above individuals.

Information Volunteered

Interviewed on _____ at Washington, D. C. File # 65-74060

by William W. Hamilton/mjg Date dictated June 12, 1974

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

1 - Mr. W. C. Sullivan
1 - Mr. J. H. Gale

Assistant Attorney General
Internal Security Division

July 16, 1971

Director, FBI

1 - Mr. C. D. Brennan
1 - Mr. W. R. Wannall
1 - Mr. R. J. McCarthy
1 - Mr. J. R. Wagoner

DANIEL ELLSBERG
ESPIONAGE - [redacted]
ELECTRONIC SURVEILLANCE
INFORMATION REQUEST CONCERNING
[redacted]

Reference is made to the telephonic request of Mr. A. William Olson, Deputy Assistant Attorney General, Internal Security Division, to Mr. W. R. Wannall of this Bureau for electronic surveillance information regarding [redacted]

A review of our records has revealed that no conversations of [redacted] been monitored by electronic surveillance devices nor have they been the subjects of direct electronic coverage.

65-74060

ST-112
REC-37 [illegible]-551

1 - 62-318

JRW:mlb:bjp
(10)

MAILED 12
JUL 16 1971
FBI

JUL 19 1971

NOTE:

In connection with Ellsberg's case, the Department intends to call [redacted] before Federal Grand Jury in view of their reported knowledge of Ellsberg [redacted] refused to be interviewed by the FBI. Accordingly, the Department requested that it be determined whether any conversations [redacted] had been monitored by electronic surveillance devices and, if so, certain information regarding conversations which were monitored, identification of the telephone surveillances involved and letters of authority and reauthorization regarding the telephone surveillances. The special indices of the Bureau have been checked as well as prior places of residence or known areas where [redacted] have been, including Los Angeles, Boston, New York, Denver, San Francisco and Las Vegas.

APR 2

7 JUL 21 1971

MAIL ROOM [ ] TELETYPE UNIT [ ]

[redacted]

SECRET
NO FOREIGN DISSEMINATION

1 - Mr. W. C. [redacted]
1 - Mr. J. E. [redacted]
1 - Mr. C. D. [redacted]

Assistant Attorney General
Internal Security Division

July 16, 1971

Director, FBI

1 - Mr. W. R. Wannall
1 - Mr. R. J. McCarthy
(1535)
1 - Mr. J. B. Hotis

[redacted]

Reference is made to the telephonic request to Assistant Director C. D. Brennan of this Bureau by Mr. A. William Olson, Deputy Assistant Attorney General, Internal Security Division, on July 9, 1971, for a check of our electronic surveillance records regarding [redacted] also known as [redacted] also known as [redacted]

A review of our records revealed that none of the above individuals have been the subjects of direct electronic coverage. No conversations of [redacted] and [redacted] of proposed [redacted] have been monitored by electronic surveillance devices.

[redacted]

SECRET
NO FOREIGN DISSEMINATION

JRW:bjp
(6)

Classified by 6080
Exempt from GDS, Category
Date of Declassification Indefinite
LED/EGM 5/17/77

Classified
Exclude from automatic downgrading and declassification

[redacted]

SEE NOTE PAGE [redacted]

ROUTE IN ENVELOPE

[redacted]

Assistant Attorney General
Internal Security Division

August 3, 1971

Director, FBI

REC-10

DANIEL ELLSBERG
ESPIONAGE - X

1 - Mr. W.C. Sullivan
1 - Mr. J.H. Gale
1 - Mr. C.D. Brennan
1 - Mr. W.R. Wannall
1 - Mr. R.J. McCarthy
1 - Mr. J.R. Wagoner

Reference is made to your letter dated July 20, 1971, regarding electronic surveillance information concerning

[redacted]

A review of our records revealed that none of the above individuals have been subjects of direct electronic coverage. No conversations

[redacted]

[illegible] have been monitored by electronic surveillance devices

[redacted]

Copies of the surveillance logs relative to the monitored conversations, along with copies of associated memoranda, were previously hand delivered to Mr. A. Willian Olson by Special Agent [redacted] The dates that the conversations were overheard were noted on the surveillance logs delivered to Mr. Olson

65-74060

LEB:dlw (9)

SEE NOTE PAGE TWO

SECRET/NO FOREIGN DISSEMINATION

Group 1
Excluded from automatic downgrading and declassification

Classified by 6080
Exempt from [illegible]
Date of Declassification [illegible]

LEB/EGM 5/17/77

Olson
Felt
Gilligan
Gebhardt
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Dale
Ponder
Rosen
Sullivan
Tavel
Walters
Soyars
Exec. Room
Times
Sandy

AUG 13 1971

MAIL ROOM [ ] TELETYPE UNIT [ ]

Assistant Attorney General
Internal Security Division

NOTE:

Classified "Secret/No Foreign Dissemination" since it sets forth information regarding sensitive Bureau techniques, the unauthorized disclosure of which could seriously affect the national defense.

Assistant Attorney General
Internal Security Division

NOTE:

Classified "Secret/No Foreign Dissemination" since it sets forth information regarding sensitive Bureau technique, the unauthorized disclosure of which could seriously affect the national defense.

In previous requests of this type, the Department has advised that in view of the fact that persons on whom these checks are made are prospective witnesses before a Federal Grand Jury and not defendants, it will not be necessary to specify dates of authorization of electronic surveillances conducted unless the individual concerned had a proprietary interest in the premises affected. Since in this instance none of the individuals checked had a proprietary interest in the premises on which electronic surveillances were conducted, dates of authorization were not set forth for the Department.

ROUTE IN ENVELOPE

[redacted]

1 - Mr. Sullivan
1 - Mr. Gale

Assistant Attorney General
Internal Security Division

August 27, 1971

Director, FBI

1 - Mr. C.D. Brennan
1 - Mr. Wannall
1 - Mr. R.J. McCarthy
1 - Mr. Wagoner

1493

DANIEL ELLSBERG
ESPIONAGE - X

Reference is made to your letter of August 24, 1971, regarding electronic surveillance information concerning [redacted]

A review of our records reveals that [redacted] under true name or aliases, has not been subject of direct electronic coverage. Further, conversations of Rodberg, under true name or aliases, have not been monitored by electronic surveillance devices.

LEB:mlb/dlw
(9)

NOTE:

Classified "Secret-No Foreign Dissemination" since it sets forth information regarding sensitive Bureau technique, the unauthorized disclosure of which could seriously affect national defense.

The Baltimore, Boston, Los Angeles, New York, Philadelphia, San Francisco and Washington Field Offices [redacted] were requested to check special indices regarding [redacted] under true name and aliases. All reported negative.

MAILED 3
AUG 27 1971
FBI

5/17/77 declassified by 6260 CED/EGM

[redacted]

APPROPRIATE AGENCIES AND FIELD OFFICES ATTENTION ROUTING.

SEP 9 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

SEP 2 1971

1 - Mr. W. C. Sullivan
1 - Mr. J. P. Mohr
1 - Mr. J. H. Gale

Assistant Attorney General
Internal Security Division

September 7, 1971

ST-106

Director, FBI

REC-13 - 1559

1 - Mr. D. J. Dalbey
1 - Mr. C. D. Brennan
1 - Mr. T. E. Bisbey
1 - Mr. W. R. Wannall
1 - Mr. J. R. Wagner
1 - Mr. L. E. Belanger
1 - Inspector E. S. Miller

DANIEL ELLSBERG
ESPIONAGE - X

Reference is made to your letter dated September 1, 1971, under above caption.

Pursuant to the oral request of Mr. James C. McGrath of your Division on September 1, 1971, this Bureau is presently checking special indices of logical field offices concerning Anthony Joseph Russo, Jr., and your office will be notified of results when completed.

This will confirm oral information furnished to Mr. Paul Vincent of your Division by the Los Angeles Office of the FBI in June, 1971, to the effect that special indices of Los Angeles were negative concerning Russo.

LEB:bjp
(13)

NOTE:

See cover memorandum W. R. Wannall to C. D. Brennan, dated 9/3/71, captioned as above, prepared by LEB:bjp.

MAILED 11
SEP 7 - 1971
FBI

SEP 16 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted]

1 - Inspector
1 - Mr. Sullivan
1 - Mr. Mohr
1 - Mr. Cale
September 8, 1971

1 - Mr. Dalbey
1 - Mr. Brennan
1 - Mr. Wannall
1 - Mr. R.J. McCarthy
1 - Mr. Wagoner
1 - Mr. Belanger

Assistant Attorney General
Internal Security Division

Director, FBI

DANIEL ELLSBERG
ESPIONAGE - X

Reference is made to your letter dated September 1, 1971, under the above caption; the oral request of Mr. James C. McGrath of your office to Mr. W. R. Wannall of this Bureau on the same date for electronic surveillance information concerning Anthony Joseph Russo, Jr.; and my letter dated September 7, 1971, under the same caption.

A review of our records revealed that Anthony Joseph Russo, Jr., by true name or known aliases, has not been subject of direct electronic coverage, nor have any conversations of Russo by true name or known aliases been monitored by electronic devices. Our records reveal further that Anthony Joseph Russo, Jr., under true name or known aliases, has not been known to have had a proprietary interest in premises on which such surveillances were conducted.

APPROPRIATE AGENCIES
ADVISED OF CONTENTS
SENT [illegible]
DATE 9/20/71

REC-40
65-74060 — 1618

LEB:kah/ams
(13)

NOTE:

Classified "Secret/No Foreign Dissemination" since it sets forth information regarding sensitive Bureau techniques, the unauthorized disclosure of which could seriously affect the national defense.

See cover memorandum Wannall to Brennan, same caption, 9/7/71, LEB:kah.

MAILED 3
SEP - 8 1971
FBI

[redacted]

SEP 20 1971

SEP 20 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

Tolson
Felt
Sullivan
Mohr
Bishop
Casper
Callahan
Conrad
Dalbey
Gale
Rosen
Tavel
Walters
Soyars
Bates
Holmes
Gandy

CONFIDENTIAL

ROUTE IN ENVELOPE

1 - Mr. C. D. Brennan
1 - Mr. R. J. McCarthy

Mr. Lionel E. Belanger
Federal Bureau of Investigation

September 14, 1971

A. William Olson, Deputy Assistant
Attorney General, Internal Security Division

1 - Mr. J. R. Wagoner
1 - Mr. L. E. Belanger

[redacted]

To acknowledge receipt of single copies of the following material concerning the above listed individual who was monitored by telephone surveillances of this Bureau [redacted]

Surveillance logs for the following dates: 4/12/62, 11/16/64, 11/17/64, 11/18/64.

September 14, 1971

A. William Olson

65-74060
1 - 62-318
LEB:bjp
(8)

NOTE: ENCLOSURE

REC 20

Classified by 6080
Exempt from GDS, Category
Date of Declassification Indefinite
LED/EGM 9/16/71

SEP 16 1971

Classified "Secret - No Foreign Dissemination" because it sets forth information regarding sensitive Bureau techniques, the unauthorized disclosure of which could seriously affect the national defense [redacted]

[redacted]

NOTE CONTINUED
PAGE TWO

OCT 4 1971

CONFIDENTIAL

ROUT[illegible] IN ENVELOPE

SE[illegible]T
NO FOREIGN DISSEMINATION

1 - Mr. W. C. [illegible]
1 - Mr. [illegible]
1 - Mr. C. D. Brennan

Assistant Attorney General
Internal Security Division

September 15, 1971

Director, FBI

1 - Mr. R. J. Mallahan
1 - Mr. J. R. Wagner
1 - Mr. L. E. Ballinger

REC-32 [illegible] 1618

[illegible]
ENCLOSURE - X

[redacted]

Copies of the surveillance logs relative to the [illegible] conversations were [illegible] delivered to [illegible] Assistant Attorney General J. William Olson by Special Agent [redacted] on September [illegible], 1971. The dates that the conversations were overheard were taken from the surveillance logs delivered to Mr. Olson. No memoranda or reports were prepared by this Bureau reflecting the information contained in the surveillance logs [illegible]

SEP 1 [illegible]
DATE [illegible]

MAILED 11
SEP 15 1971
FBI

LEB:bjp [illegible] (9)
65-74380

NOTE:

Classified "Secret - No Foreign Dissemination" since it sets forth information regarding sensitive [illegible] techniques, the unauthorized disclosure of which could seriously affect the national defense [illegible]

SECRET
NO FOREIGN DISSEMINATION

GROUP 1
Excluded from automatic downgrading and declassification

SEP 26 1971

NOTE CONTINUED PAGE 2

- Tolson
- Felt
- Sullivan
- Mohr
- Bishop
- Miller, ES
- Callahan
- Casper
- Conrad
- Dalbey
- Cleveland
- Ponder
- Rosen
- Tavel
- Walters
- Soyars
- Room
- Holmes
- Gandy

[redacted]

1 - Mr. W.C. Sullivan
1 - Mr. W.V. Cleveland
1 - Mr. C. D. Brennan

Assistant Attorney General
Internal Security Division

September 27, 1971

1 - Mr. R. J. McCarthy
1 - Mr. J. R. Wagner
1 - Mr. L. E. Belanger

Director, FBI

DANIEL ELLSBERG
ESPIONAGE - X

Reference is made to the oral request of Deputy Assistant Attorney General A. William Olson to Special Agent [redacted] on September 22, 1971, regarding electronic surveillance information for [redacted]

A review of our records reveals that the above individuals by true name or known aliases have not been subjects of direct electronic coverage, nor have any conversations of these individuals, by true name or known aliases, been monitored by electronic devices. Our records reveal further that the above individuals, under true name or known aliases, have not been known to have had a proprietary interest in the premises on which such surveillances were conducted. This information was furnished to Mr. John L. Martin, of your office, orally on September 24, 1971, by Special Agent Belanger.

65-74060

LEB:bjp
(9)

NOTE:

Classified "Secret - No Foreign Dissemination" since it sets forth information regarding sensitive Bureau techniques, the unauthorized disclosure of which could seriously affect the national defense.

This letter to the Assistant Attorney General sets forth results of our check with the Boston, Los Angeles, New York and Washington Field Offices, these being logical offices to check in connection with the individuals in question.

[redacted]

Declassified by 6 OFA/LED/EGM
5/17/77

[redacted] AGENCIES
[redacted]
SLIP [redacted]
DATE 9/23/71

[redacted]

ROUTE IN ENVELOPE

1 - Mr. A. Rosen
1 - Mr. W.V. Cleveland
1 - Mr. E.S. Miller
1 - Mr. C.D. Brennan

Assistant Attorney General
Internal Security Division

[redacted]

December 22, 1971
1 - Mr. R.J. McCarthy
1 - Mr. J.R. Wagner
1 - Mr. L.E. Belanger

Director, FBI

DANIEL ELLSBERG
ESPIONAGE - X

Reference is made to my letter dated December 15, 1971, reporting results of check of our records regarding [redacted]

[redacted]

Subsequent to the transmission of the referenced letter, information was developed that [redacted] when applying for a marriage certificate on June [redacted] utilized the name [redacted] A recheck of our records reveals that [redacted], by true name or known aliases, has not been subject of direct electronic coverage nor have any conversations of [redacted] by true name or aliases, been monitored by electronic devices. Our records reveal further that [redacted], under true name or known aliases, has not been shown to have had a proprietary interest in the premises on which any such surveillances were conducted. This information was furnished to Deputy Assistant Attorney General A. William Olson, of your office, orally on December 20, 1971, by Special Agent [redacted]

65-74060

LEB:kdf
(10)

Declassified by 6080
5/17/77 LED/EGM

SEE NOTE PAGE TWO

[redacted]

[redacted] STATES
[redacted] OFFICES
[redacted] BY ROUTING
SLIP(S) ARE declassified
DATE 5/23/77
Ded/ASO

[redacted]ON

Assistant Attorney General
Internal Security Division

NOTE:

Classified "Secret - No Foreign Dissemination" since it sets forth information regarding sensitive Bureau technique, the unauthorized disclosure of which could seriously affect the national defense.

This letter to the Assistant Attorney General sets forth results of a recheck with Baltimore, Boston, Chicago, Los Angeles, New York, San Francisco and WFO, for additional name developed for Shearer, as these offices are logical offices to check in connection with

[redacted]

[redacted]ON

1 - Mr. A. Rosen
1 - Mr. W.V. Cleveland
1 - Mr. E.S. Miller
1 - Mr. C.D. Brennan
1 - Mr. W.A. Harwood
1 - Mr. J.R. Wagoner

[redacted]

Acting Assistant Attorney General
Internal Security Division

June 5, 1972

1 - Mr. L.E. Belanger

Acting Director, FBI

UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to your letter dated May 23, 1972, captioned as above and requesting electronic surveillance information for Anthony Joseph Russo, Jr., and Daniel Ellsberg.

A review of our records reveals that Russo and Ellsberg, by true names or known aliases, have not been subjects of direct electronic coverage, nor have any conversations of those individuals, by true names or aliases, been monitored by electronic devices. Our records reveal further that addresses for Russo and Ellsberg, listed on pages two and three of referenced letter, have not been subject of electronic surveillances by this Bureau. This information was furnished to [redacted] of your office on May 31, 1972, by Special Agen[redacted]

Your instructions set forth on page two of referenced letter, pertaining to procedures to be followed to insure against monitoring of the above individuals or their attorneys, will be followed.

65-74060

LEB:at
(10)

MAILED 6
JUN 6 - 1972
FBI

REC 31

6 JUN 6 1972

SEE NOTE PAGE TWO

Felt
Mohr
Rosen
Bates
Bishop
Callahan
Campbell
Casper
Cleveland
Conrad
Dalbey
Miller, E.S.
Ponder
Soyars
Waikart
Walters
Tele. Room
Mr. Bailey
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

ROUTE IN ENVELOPE

JUN 21 1972

MAIL ROOM [redacted] TELETYPE UNIT [ ]

JUN 8 1972

:ting Assistant Attorney General

NOTE:

Letter not classified as information is negative and needed by the Department to respond to a specific request of the United States District Court, Los Angeles.

This letter to the Acting Assistant Attorney General sets forth results of a check of special indices with the Baltimore, Boston, Chicago, Cleveland, Denver, Detroit, El Paso, Los Angeles, Miami, Milwaukee, Newark, New Haven, New Orleans, New York, Philadelphia, Phoenix, Pittsburgh, St. Louis, San Francisco, and WFO Offices as these offices were logical offices to check in connection with Russo and Ellsberg. In referenced letter page two, the Acting Assistant Attorney General referred to previous instructions issued by the Attorney General by memorandum dated July 14, 1969, captioned "Electronic Surveillances." The Attorney General set forth certain procedures to be followed to insure against the monitoring of defendants or their attorneys. These instructions were related to appropriate offices by Bureau teletype May 25, 1972, setting out leads in this matter.

NO FOREIGN DISSEMINATION

1 - Mr. W.V. Cleveland
1 - Mr. E.S. Miller
1 - Mr. C.D. Brennan
1 - Mr. W.A. Sinnett
1 - Mr. J.B. Turner
1 - Mr. L.E. Belinger

Assistant Attorney General
Internal Security Division

July 20, 1972

Acting Director, FBI

UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to your letter dated July 11, 1972, captioned as above and requesting electronic surveillance information for certain attorneys of record and their agents and employees in the above-captioned case.

[redacted]

A review of our records further reveals the following individuals by true names or known aliases have not been the subjects of direct electronic coverage nor have any conversations of these individuals by true names or aliases been monitored by electronic devices [redacted]

MAILED

65-74060

LEB:at
(9)

NO FOREIGN DISSEMINATION
Group 1
Excluded from automatic downgrading and declassification

SEE NOTE PAGE TWO

ROUTE IN ENVELOPE

Felt
Bates
Bishop
Callahan
Campbell
Cleveland
Conrad
Dalbey
Jenkins
Marshall
Miller, E.S.
Pender
Soyars
Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN

NO FOREIGN DISSEMINATION

Memorandum to the Assistant Attorney General
Re: United States vs. Anthony Joseph Russo, Jr.
and Daniel Ellsberg
65-74060



Regarding the above individuals our records further reveal that no premises in which these individuals had a proprietary interest have been the subjects of electronic surveillances by this Bureau. Additionally, in no case involving any of the above individuals, including [redacted] has the FBI requested any electronic surveillance be conducted by any state or local governmental agency, private parties, corporations, or companies. In addition, no electronic surveillances have been requested by such agencies in cooperation with or in conjunction with the FBI or conducted by such entities within the knowledge of the FBI. The foregoing information is limited to the specific time periods for each individual as set forth in the Order of the United States District Court enclosed with the referenced letter. All the above information was furnished to you on July 17, 1972, by Special Agent [redacted]

Your instructions set forth on page two of the referenced letter pertaining to procedures to be followed to insure against the monitoring of the defendants, their attorneys, their agents or employees will be followed [redacted]

SECRET
NO FOREIGN DISSEMINATION

Memorandum to the Assistant Attorney General
Re: United States vs. Anthony Joseph Russo, Jr.
and Daniel Ellsberg
65-74060

NOTE:

[redacted] In referenced letter from the Internal Security Division there was enclosed an order signed by Federal Judge in Los Angeles in this case requiring a check of Bureau special indices concerning the defendants, their attorneys, their agents and employees in captioned case. The Department requested that we only check special indices for their attorneys, their agents and employees. Results of special indices check concerning the defendants were previously furnished the Department on June 5, 1972. [redacted]

SECRET
NO FOREIGN DISSEMINATION

August 15, 1972

Mr. Lionel E. Belanger
Federal Bureau of Investigation

Daniel J. McAuliffe
Deputy Assistant Attorney General
Internal Security Division

[redacted]

To acknowledge receipt of single copies of the following material concerning Leonard B. Boudin, who was monitored by telephone surveillance of the Federal Bureau of Investigation. U

Surveillance log for February 11, 1971.

Washington Field Office letter and letterhead memorandum dated February 22, 1971.

[redacted]

August 15, 1972

Daniel J. McAuliffe

SECRET
NO FOREIGN DISSEMINATION

Group 1
Excluded from automatic
downgrading and
declassification

Classified by 6080
Exempt from GDS, Category [redacted]
Date of Declassification Indefinite
LED/EGM 5/19/77

SECRET - NO FOREIGN DISSEMINATION

1 - Mr. Cleveland
1 - Mr. E.S. Miller
1 - Mr. C.D. Brennan

Assistant Attorney General
Internal Security Division

August 17, 1972

1 - Mr. W.A. Harwood
1 - Mr. W.A. Branigan
(Mr. Schlarman)
1 - Mr. Wagoner
1 - Mr. Belanger

Acting Director, FBI

UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to your letter dated August 7, 1972, captioned as above and requesting electronic surveillance information for certain attorneys of record for Ellsberg in the above-captioned case.

The referenced letter furnished additional addresses and telephone numbers for the attorneys named.

A further review of our records reveals that [redacted] by these names or known aliases, have not been subjects of direct electronic coverage. Our records further reveal that premises in which these individuals had a proprietary interest have been subjects of electronic surveillances by this Bureau.

[redacted]

65-74060

LEB:lsf
(10)

NO FOREIGN DISSEMINATION
Groups 1
Excluded from automatic
downgrading and
declassification

AUG 17 1972

SEE NOTE PAGE TWO

Classified by 6080
Exempt from GDS, Category
Date of Declassification Indefinite

LED/EGM 5/19/77

Felt
Bates
Bishop
Callahan
Campbell
Cleveland
Conrad
Dalbey
Jenkins
Marshall
Miller, E.S.
Ponder
Soyars
Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

ROUTE IN ENVELOPE

AUG 22 1972

MAIL ROOM TELETYPE UNIT

SECRET
NO FOREIGN DISSEMINATION

Memorandum to Assistant Attorney General
RE: UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
65-74060

In no case involving any of the above-listed individuals, including [redacted] has the FBI requested any electronic surveillance be conducted by any state or local governmental agency, private parties, corporations, or companies. In addition, no electronic surveillances have been conducted by such agencies in cooperation with or in conjunction with the FBI or conducted by such entities within the knowledge of the FBI. The foregoing information is limited to the specific time periods for each individual as set forth in referenced letter. All of the above information was furnished to Mr. McAuliffe on August 15, 1972, by Special Agent [redacted]

NOTE:

[redacted]

By letter dated 7/11/72 the Internal Security Division enclosed a court order from the Federal District Court, Los Angeles, California, requesting electronic surveillance information for certain attorneys, their agents and employees of the defendants in this case. By memorandum 7/20/72 results of our previous checks for these individuals were furnished to the Internal Security Division. By letter 8/7/72 the Internal Security Division advised that it anticipated that Federal District Court in Los Angeles would amend its original order so as to include additional telephone numbers and addresses for attorneys for Ellsberg, these being [redacted] The Internal Security Division requested ELSUR checks for the new addresses. The new addresses and telephone numbers were limited in the Boston, New York, and Washington Field territories and additional results as received from Washington Field were furnished to the Internal Security Division as noted. [redacted]

SECRET
NO FOREIGN DISSEMINATION

FD-36 (Rev. 5-22-64)

~~Secret~~

FBI

Date: 9/29/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (65-74060) ATTN: DID

FROM: SAC, LOS ANGELES (105-27952) (P)

[redacted]

RE: MC LEK
SIO

Re Bureau teletypes dated 7/12/72, and 9/27/72, and Los Angeles nitel dated 9/27/72.

Enclosed for the Bureau are the following:

Enclosures relating to [redacted] (LA file [redacted])

Two copies of LA serial [redacted] page three.
Two copies of LA serial [redacted] page two.
Two copies of LA serial [redacted] page one.
Two copies of LA serial [redacted] page one.
Two copies of LA serial [redacted] page three.
Two copies of LA serial [redacted] page one.

Two copies of LA serial [redacted]
Two copies of LA serial [redacted]

(3) - Bureau (Encls. 48) (RM)
2 - San Diego (RM)
2 - San Francisco (RM)
1 - Los Angeles

RFK/JEB
(8)

Classified by [redacted]
Exempt from GDS, Categ[redacted]
Date of Declassification [redacted]

6 NOV 8 1972

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

~~Secret~~

1-6-72
OCT 4 1972

ENCLOSURE
ENCL BEHIND FILE

SPEC. INV. OFFICE

SPEC. MAIL ROOM

INAPPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF 5-22-72 DATE

U.S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

Two copies of LA serial [redacted]
Two copies of LA serial
Two copies of LA serial
Two copies of LA serial

Two copies of Los Angeles airtel and letterhead memorandum (LHM) dated 10/20/70, captioned, "BLACK PANTHER PARTY - ATTORNEYS, LOS ANGELES DIVISION, RACIAL MATTERS."

Two copies of Los Angeles Summary Report of [redacted] dated 2/28/72, captioned, [redacted] aka [redacted]

Enclosures relating t[redacted] (LA file [redacted]

Two copies of LA serial [redacted] ge two.
Two copies of LA serial [redacted] ge one.
Two copies of LA serial [redacted] one.
Two copies of LA serial [redacted] page one.

Two copies of LA serial [redacted]
Two copies of LA serial
Two copies of LA serial
Two copies of LA serial

Enclosures relating t[redacted]

Two copies of LA serial [redacted]
Two copies of LA serial

Although the enclosures relating to [redacted] refer to a [redacted] not further identified [redacted] es, believes the [redacted] to be identical to [redacted] because of his long history of association with the Black Panther Party (BPP) and as he was in the Los Angeles area at that time running for the office of United States Senator, making speeches [redacted]

[redacted]

None of the other listed plaintiffs as set forth in referenced Bureau teletypes and Bureau teletype to Boston, New York and Washington Field Office dated 8/8/72, or premises in which they had proprietory interest or telephones under their control were ever subject of ELSUR coverage in the Los Angeles Division [redacted]

[redacted]

To sum up and to set forth in form given in memorandum from Assistant Attorney General, Criminal Division, to Bureau, dated 4/16/69, captioned "Electronic Surveillances, JOHN BABORIAN, ET AL" the following is set forth: [redacted]

B. No electronic surveillances were conducted on any premises in which any of the plaintiffs were owner, leasee or licensee in the territory covered by the Los Angeles FBI Office [redacted]

Secret

LIT,

Rev LA A/ATEL 10/10/72

[redacted]

D. Not applicable

[redacted]

LEADS

The Bureau is requested to determine if the enclosed report and LHM were disseminated by the Bureau to outside agencies. (U) Neg.

SAN DIEGO AND SAN FRANCSICO: Neg. Review office indices and determine if information relative to [redacted] set forth in Los Angeles LHM, dated 10/20/70, captioned as above, was incorporated into any communication which was disseminated to an outside agency [redacted]

Sutel results to Bureau and Los Angeles, of results prior to COB, 10/4/72. [redacted]

Secret

NY 65-25641

D. Not applicable [redacted]

E. This information is not known by the NYO of the FBI to have been disseminated to any agency outside the FBI. [redacted]

F. The information in question was furnished in part to the Director, FBI and SACS Chicago, Los Angeles, San Francisco and WFO [redacted]

SECRET

EX-109

Assistant Attorney General
Criminal Division

January 4, 1974

Director, FBI

REC-48

1 - Mr. Mintz
1 - Mr. W. R. Wannall
1 - Mr. R. H. Horner

NATIONAL SECURITY ELECTRONIC
SURVEILLANCE FILE

[redacted]

It has been long-standing Bureau policy not to disseminate documents of this nature outside the FBI except in instances where there is a need for them to be considered for production or disclosure in a legal proceeding. Since there is no information to indicate any court action is pending in the [redacted] this Bureau does not see the need for the production of these documents at this time [redacted]

If it is necessary to produce the documents for review in future legal proceedings, they will be made available for that purpose. [redacted]

SENT FROM D. O.
TIME 12:58 PM
DATE 1/4/74
BY [redacted]

SECRET

AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF REC 5/22/97
DATE SEE NOTE - PAGE 2

RHH:glw
(6)

Classified by T. J. Smith
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

Assoc. Dir. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

XEROX

JAN 2 1974

MAIL ROOM ☐ TELETYPE UNIT ☐

ROUTE IN ENVELOPE

UNRECORDED COPY FILED IN

Assistant Attorney General
Criminal Division

NOTE:

The Department has not established a legitimate need for the requested documents. Departmental Attorney Edward Christenbury telephonically advised [redacted] on 1/2/74 that the documents were needed for background in order to answer an inquiry from [redacted] attorney. No legal proceedings are underway at this time in the matter.

Memorandum is classified "Secret" since unauthorized disclosure would jeopardize a sensitive source.

Assistant Attorney General
Criminal Division

Acting Director, FBI

June 5, 1973
1 - Mr. Eardley
1 - Mr. Miller
1 - Mr. Mintz
1 - Mr. Williamson

DANIEL ELLSBERG, et al. v.
JOHN N. MITCHELL, et al.
(D. D. C.) CIVIL ACTION NO. 1879-72

Our letter to the Assistant Attorney General, Internal Security Division, dated October 26, 1972, enclosed a memorandum captioned as above dated October 18, 1972, which contained the results of a check of our electronic surveillance records.

Enclosed is a memorandum dated May 31, 1973, which sets forth the details on additional electronic surveillances concerning plaintiffs in this civil action.

Enclosure

NOTE: The Department had been previously advised that our records did not indicate that plaintiff Daniel Ellsberg had been overheard as a result of electronic surveillance coverage by the Bureau. Further, we advised the Department that the plaintiff Morton Halperin had not been the subject of direct electronic coverage. As a result of the recovery of certain records from The White House on May 12, 1973, it has been determined that Ellsberg has been monitored and Halperin the subject of direct coverage. The Department is being advised so that appropriate amended pleadings may be prepared and filed.

JLW:deh
(6)

REC-82

SECRET MATERIAL ATTACHED

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Eardley
Hogan

MAIL ROOM ☐ TELETYPE UNIT ☐

6 DEC 11 1973

FILED

SECRET

1-Mr. Williamson
1-Mr. Harwood
1-Mr. Wagoner

May 31, 1973

[redacted]

DANIEL ELLSBERG, ET AL., VS JOHN N. MITCHELL, ET AL.
DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
CIVIL ACTION NUMBER 1879-72

Reference is made to FBI memorandum dated October 26, 1972, enclosing a memorandum dated October 18, 1972. The October 18, 1972, memorandum set forth the results of electronic surveillance checks for the period June 19, 1968, through September 19, 1972, relative to the plaintiffs named in captioned civil action.

On May 12, 1973, certain records pertaining to electronic surveillances during the above mentioned period were recovered from The White House. A review of these records reveals the following pertinent information concerning the plaintiffs named in captioned civil action.

Daniel Ellsberg

[redacted]

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF REQ
DATE 5/22/73 SEE NOTE PAGE THREE

SECRET

NO FOREIGN DISSEMINATION

CLASSIFIED BY [redacted]
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
EXEMPTION CATEGORY [redacted]
AUTOMATICALLY DECLASSIFIED ON Indefinite

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

JRW:wmc (10)
(5)

MAIL ROOM ☐ TELETYPE UNIT ☐

ROUTE IN ENVELOPE

1 - Mr. W.C. Sullivan
1 - Mr. J.H. Gale
1 - Mr. C.D. Brennan
1 - Mr. W.R. Wannall

Assistant Attorney General
Internal Security Division

July 13, 1971

1 - Mr. R.J. McCarthy
1 - Mr. J.R. Wagoner

Director, FBI

DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to your letter dated July 2, 1971, requesting electronic surveillance information regarding Daniel Ellsberg, who was recently indicted for violation of the espionage statute.

A review of our records reveals that no conversations of Daniel Ellsberg have been monitored by electronic surveillance devices nor has he been the subject of direct electronic coverage.

65-74060

1 - 62-318

JRW:lmb
(10)

NOTE:

In view of Daniel Ellsberg's indictment, the Department advised that it anticipates that Ellsberg's defense counsel will file a motion to produce all evidence obtained by electronic surveillance. Accordingly, the Department requested that it be determined whether any conversations of Ellsberg had been monitored by electronic surveillance devices and if so, certain information regarding conversations which were monitored, identification of the telephone surveillances involved and letters of authority and reauthorization regarding the telephone surveillances. The general indices of the Bureau have been checked as well as prior places of residence or known areas where Ellsberg has been, including Los Angeles, Boston, New York, WFO, Chicago, Denver, and San Francisco.

MAILED 3
JUL 13 1971
FBI

EX-105

REC-11 65-74060-1

19 JUL 14 1971

9 7 JUL 19 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

TO : Mr. Felt

DATE: 5/23/73

1 - Mr. Eardley
1 - Mr. E.S. Miller
1 - Mr. J.R. Wagoner

FROM : Mr. E. S. Miller

SUBJECT: DANIEL ELLSBERG CASE

[redacted]

The 5/18/73 issue of "The Evening Star," Washington, D. C., set forth an article by Oswald Johnson entitled "Ellsberg Cites Evidence FBI Probed Him Earlier" (copy attached). The article sets forth "documentation" of Ellsberg's claim and the following are the facts related to Ellsberg's claim as set forth in FBI files.

According to the article, Ellsberg made available information to reporters at a breakfast meeting on 5/18/73 showing that more than a year before the publication of the "Pentagon Papers" in 6/71 Ellsberg was under active investigation for having copied the highly classified report and making it available to Senate opponents of the Vietnam War. Ellsberg revealed an in-house Rand Corporation memorandum showing that FBI investigators in late 4/70 discussed Ellsberg with Rand President Henry S. Rowen and Rand security official Richard Best. According to the article, the in-house document showed the FBI believed Ellsberg had furnished the Pentagon Papers to Senator J. William Fulbright and the then New York Senator Charles Goodell. In addition, the document showed Ellsberg was under routine investigation for a security clearance as a Rand consultant and even after the FBI interview with Rand officials he was still allowed access to classified material. The document further stated the FBI reported the allegations to the Air Force Office of Security Investigations (OSI) and Rand officials believed "they" also reported the allegations to the Defense Industrial Security Clearance Office.

ST-102 REC-64 65-74060-4315

10 JUN 11 1973

At the breakfast meeting, Ellsberg expressed belief that he was extensively overheard by Government wiretapping from 1969 on in connection with electronic surveillances, the

Enclosure

65-74060

CONTINUED - OVER

JRW:wmc
(4)

6 JUN 15 1973

ENCLOSURE

SPEC. MAIL RM.

ROUTE IN ENVELOPE

details of which have not been revealed. According to the article, Ellsberg turned over most volumes of his copy of the Pentagon Papers to Fulbright in 11/69 and there are reasons to believe that the Government began its investigation of the leak of the Pentagon Papers as early as 12/69.

With regard to the aforementioned article, Bureau files show that based on an allegation received in confidence [redacted] The allegation was hearsay information to the effect that copies of "Top Secret" documents had been made by Ellsberg, an employee of the Rand Corporation, with the intent of furnishing them to Senator J. William Fulbright and the then Senator Charles E. Goodell. Our inquiries included interviews of Jack Matthews, Security Official, Henry S. Rowen, President of Rand Corporation, and Richard H. Best, Director of Security at Rand. Attempts were also made to interview Ellsberg's former wife Carol even in the presence of her attorney, however, she refused to be interviewed. The results of this preliminary investigation, which did not specifically substantiate the allegation, were transmitted to the Assistant Attorney General of the Internal Security Division advising him that no further investigation would be conducted by the FBI in the absence of a specific request from him. No such request was received and therefore no further inquiries were made, however, the results of our investigation were also disseminated to the U. S. Air Force OSI which had security responsiblity of the Rand Corporation.

Our files further reveal that OSI during 3/70 conducted discreet inquiries within the U. S. Air Force based solely on the information originally furnished OSI by the Bureau. The OSI inquiries related to the degree of security clearance held by Ellsberg and were related to U. S. Air Force regulations requiring uniform personnel and civilian U. S. Air Force employees to coordinate any contacts

CONTINUED - OVER

with Congressional representatives with the Legislative Liaison Office. OSI's line of inquiry related to the receipt of information in 1970 that Ellsberg had allegedly reproduced classified information in his possession for the purpose of making it available to various Congressional leaders.

With regard to Ellsberg's belief that he was extensively overheard by Government wiretapping from 1969 on, we have no information indicating Ellsberg to have been the subject of electronic surveillances other than as revealed in records obtained 5/12/73, from the office of John Erhlichman, former member of The White House staff. These records reveal Ellsberg was overheard on 15 occasions. In regard to these overhears, 13 occurred during the period 8/30/69, to 11/21/70, as a result of a telephone surveillance on Morton Halperin, Washington, D.C. In addition, the records reveal that Ellsberg was overheard on 9/27/70, on both the Halperin surveillance and a telephone surveillance on [redacted] (6) One other call made [redacted] by Ellsberg was overheard on the [redacted]

None of these overhears related to Ellsberg's activities in connection with the copying of classified documents or the unauthorized disclosure of classified information to anyone. None of the information in these overhears would have formed the basis for an investigation within the FBI's jurisdiction.

ACTION:

None. For information.

JPM

Ellsberg Cites Evidence FBI Probed Him Earlier

By OSWALD JOHNSON
Star-News Staff Writer

More than a year before the Nixon administrationwas rocked by publication of the Pentagon Papers in June 1971, Daniel Ellsberg was under active investigation for having copied the highly classified report and making it available to Senate opponents of the Vietnam war.

Conclusive documentation of this fact, first disclosed during the tumultuous final days f the entagon Papers trial in Los Angeles, was made available by Ellsberg today at a breakfast meeting with reporters.

The key document is an in-house Rand Corp. security memorandum revealing that FBI investigators in late April 1970 informed Rand officials of their suspicions.

THE DOCUMENT describes an interview of Rand President Henry S. Rowen and Rnd security official Richard Best in which tw FBI investigators discussed Ellsberg at length.

The document, which shows that the FBI believed Ellsberg had furnished the papers to Sen. J.WilliamFulbright, D-Ark., and then-New York Sen. Charles Goodell, is in large part corroborated by FBI materials also turned over to Ellsberg at his trial.

The documents, which raise new questions about the government's conduct in the Pentagon Papers case, also revealed:

- Rand security experts, interpreting the laws under which Ellsberg was later prosecuted for espionage, believed "that the allegations are of impropriety and not espionage."
- Ellsberg was under routine investigation for his security clearance as a Rand consultant during the time of this early FBI investigation of him. Even after the FBI interview with Rand officials, however, he was still allowed access to classified materials.
- The FBI also reported these allegations to the Air Force Office of Security Investigations. In addition, Rand officials believed they also reported the allegations to the Defense Industrial Security Clearance Office, which was probing Ellsberg's security clearance at the time.

IN ELLSBERG'S own view, which he outlined at length before a Senate committee hearing Wednesday, this information goes to prove that the government's prosecution of him was a "cover" for a politically inspired propaganda campaign against Democratic candidates.

Specifically, Ellsberg suggested today, the prosecution could be seen as a plot to attack the then-Democratic front-runner, Sen. Edmund S. Muskie, D-Maine, through his campaign national security advisers with whom Ellsberg was associated in working on the Pentagon Papers project.

These men, Leslie Gelb, director of the Pentagon Papers project, Paul Warnke, the Pentagon civilian official in whose office it was prepared, and Morton H. Halperin, a coworker on the project, appeared as witnesses for prosecution as well as defense during the trial.

Less speculative, perhaps, is Ellsberg's firm belief expressed today that he was extensively overheard by government wiretapping from 1969 on in surveillance whose details still have not been revealed.

~~Late in the trial, in the~~

ENCLOSURE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E. S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

The Washington Post
Times Herald
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World

Date MAY 18 1973

FINAL EDITION

65-74-431

revelation that finally destroyed the government's case, it was disclosed that Ellsberg had been overheard using the telephone of Halperin, which had been tapped when he served on Henry A. Kissinger's National Security Council.

It later was revealed that other members of Kissinger's staff also were under surveillance during this period — including, Ellsberg indicated today, former associates and acquaintances with whom he communicated frequently during that period.

There are reasons to believe that the government began its investigation of a leak of the Pentagon Papers as early as December 1969.

By Ellsberg's own account, he turned over most volumes of his copy of the voluminous Vietnam study to Fulbright in November 1969.

Fulbright refused to make public documents which he had obtained through any regular channel, but his office soon after wrote then-Defense Secretary Melvin R. Laird asking for clearance to obtain a "history of the U.S. decision-making process in Vietnam" which the Pentagon had prepared.

Up to this time, the very existence of the Pentagon Papers project was a closely held secret, and Fulbright's request was in itself enough to warn the administration that the papers might have been leaked.

MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Eardley
1 - Mr. E. S. Miller

TO : Mr. Felt

DATE: 5/15/73

1 - Mr. J. R. Wagoner

FROM : E. S. Miller [redacted]

SUBJECT: U.S. vs ANTHONY JOSEPH RUSSO, JR., AND DANIEL ELLSBERG

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

In a memorandum dated 5/11/73, from L. M. Walters to Mr. Felt, it was noted that the Los Angeles Office, by teletype dated 5/8/73, reported that on that day, the defense announced that the 5/14/73 issue of "Time Magazine" would contain information that in July, 1971, former Assistant Attorney General Robert Mardian authorized turning over to (E. Howard) Hunt and (G. Gordon) Liddy "raw FBI files" and results of FBI wiretaps. The memorandum noted that when interviewed on 5/10/73, Robert C. Mardian categorically denied that he had ever authorized turning over of "raw FBI files" or the results of FBI wiretaps to either Hunt or Liddy. Mr. Ruckelshaus noted on the memorandum "Have we ever been able to determine where those raw files came from?"

As noted in our letter to the Assistant Attorney General, Criminal Division, dated 5/10/73, in the Ellsberg case (attached), at no time were files of the FBI made available to The White House. During the progress of the case, at the request of The White House, periodic summaries of the investigation were provided to Mr. H. R. Haldeman from July, 1971, to February, 1972. Additionally, Mr. Egil Krogh, Jr., at The White House, began receiving copies of the same summaries beginning in August of 1971. The summaries furnished The White House in the Ellsberg case were not "raw files" but carefully edited synopses of significant developments in an ongoing case.

In addition to the above, Mr. Krogh was provided 14 individual interview reports (FD-302s) of certain individuals whose names appeared on a letter from the President to former Director J. Edgar Hoover, dated 7/29/71. Additionally, carefully edited memoranda concerning individuals of interest to The White House in this case were also submitted.

Enclosure

65-74060

LEB:mlr

REC-64 65-74060-4386

10 JUN 11 1973

ST-102

6 JUN 15 1973

CONTINUED - OVER

ROUTE IN ENVELOPE

SPEC. MAIL DEPT.

In addition, on 8/13/71, a teletype was sent to The White House to the attention of Mr. Krogh reporting information in this matter.

It is significant to note that during the examination of the material taken from the safe of Mr. Hunt, none of the aforementioned summaries, interview report forms, memoranda, or the teletype were found in the Hunt material. It was obvious that the source of FBI documents which were in the Hunt material had been made available by someone in the Internal Security Division of the Department and not directly from this Bureau.

It is interesting to note that our review of the "Time Magazine" issue in question revealed that, in fact, contrary to the assertion by the defense in the Ellsberg matter, there was no reference to any statement that Mr. Mardian authorized "raw FBI files" and results of FBI wiretaps be turned over to Hunt and Liddy.

ACTION:

For information.

1 1 6

LMW LMW/56 WGC EM ((wlwl

Assistant Attorney General
Criminal Division

May 10, 1973

Acting Director, FBI

1 - Mr. C.E. Bardley
1 - Mr. R.E. Gebhardt
1 - Mr. E.S. Miller
1 - Mr. W.R. Wannall
1 - Mr. J.R. Wagoner

UNITED STATES vs ANTHONY JOSEPH RUSSO, JR., AND DANIEL ELLSBERG

On May 9, 1973, Departmental Attorney John Martin requested Mr. W.R. Wannall of this Bureau to provide the answer to the question raised by Judge W. Matt Byrne, Jr., concerning the method by which FBI files regarding this case were made available to the White House.

Enclosed are three copies of a memorandum providing this information.

Enclosures

HJM:bcw (8)

NOTE:

By teletype dated 5/7/73 Los Angeles advised that Judge Byrne, among other things, had instructed that the Government advise as to the method by which Bureau files regarding this case were made available to the White House. It was indicated this information had been transmitted to the Department by Prosecuting Attorney Nissen. Departmental Attorney Martin orally requested the answer on 5/9/73.

ENCLOSURE

4386

1 - Mr. C.E. Bardley
1 - Mr. R.E. Gebhardt
1 - Mr. E.S. Miller
1 - Mr. W.R. Wannall
1 - Mr. J.R. Wagoner

May 10, 1973

UNITED STATES vs ANTHONY JOSEPH RUSSO, JR., AND DANIEL ELLSBERG

The following information is provided relative to the question concerning the method by which FBI files regarding this matter were made available to the White House.

At no time were files of the FBI made available to the White House in this case.

As a result of a telephonic request to former Director J. Edgar Hoover from Mr. H.R. Haldeman, former Assistant to the President, on July 6, 1971, a summary of the investigation up to that date was provided to Mr. Haldeman in the form of a letter dated July 6, 1971. Thereafter, on a weekly basis, Mr. Haldeman was provided with a summary of the investigation and interviews conducted during the preceding week. Copies of each of these weekly summaries were furnished to the Attorney General, the Deputy Attorney General and the Assistant Attorney General of the then Internal Security Division. Mr. Egil Krogh, Jr., then Deputy Assistant to the President for Domestic Affairs, began receiving copies of this same weekly summary commencing with the summary dated August 9, 1971. These summaries were provided Mr. Krogh based on a request from the President in a letter to Mr. Hoover dated July 29, 1971, to keep Mr. Krogh up to date regarding the results of the continuing FBI investigation. The above individuals continued receiving this material through February 10, 1972, at which time the weekly summary was discontinued.

In addition, on August 13, 1971, a teletype was sent to the White House to the attention of Mr. Krogh reporting information in this matter. A copy of this teletype was provided the Attorney General.

The aforementioned letter from the President dated July 29, 1971, also requested that as soon as possible Mr. Krogh be provided with all information acquired to that date concerning the investigation, including individual reports

HJM:bcw (9)

SEE NOTE PAGE FOUR

ENCLOSURE
65-[illegible]-4316

of interviews concerning 17 individuals including Ellsberg named in an attachment to the President's letter. Information acquired by the FBI concerning these persons was sent to Mr. Krogh on August 3, 1971. The FBI had interviewed five of these persons and 14 interview report forms containing the results of these interviews were [redacted] Krogh at that time. The persons interviewed were [redacted]

On June 26, 1972, various items were turned over to the FBI as having been taken from the office of Mr. E. Howard Hunt, Room 338, Executive Office Building, Washington, D. C. Among the material found in this office were a number of copies of FBI documents prepared during the investigation of Daniel Ellsberg. None of these were disseminated to the White House by the FBI. They included the following:

Copies of five interview report forms setting forth results of interviews with Yvonne Gvenle by the Los Angeles Office of the FBI in June and July, 1971. The interviews were conducted on June 21, 23 and 24, and July 10 and 14. The first three were included in the report of the Los Angeles Office dated July 2, 1971, and the last two in the report of that office dated July 19, 1971. Dissemination of the July 2, 1971, report was limited to the Internal Security Division, Department of Justice, whereas the July 19, 1971, report was disseminated to both the Internal Security Division, Department of Justice, and the Department of Defense.

Copies of five interview report forms containing [redacted] These were included in the report of the Los Angeles Office, FBI, dated July 29, 1971. Dissemination of this report was limited to the Internal Security Division, Department of Justice, and the Department of Defense.

Copy of the first page of Los Angeles report dated July 20, 1971, containing a synopsis of the investigation reported. As previously indicated, dissemination of this report was made to the Internal Security Division, Department of Justice, and the Department of Defense. The copy of this item found in Hunt's office contained handwritten notations indicating distribution of this document had been made to the following individuals: [redacted]

According to the telephone directory for the Department of Justice current during August, 1971, at the time this report was disseminated to the Internal Security Division, individuals with the above last names were officials or employees of the Internal Security Division, Department of Justice.

Copy of interview report form setting forth results of interview with [redacted] on [redacted] This was included in Los Angeles report of August 11, 1971, copies of which were sent to the Internal Security Division, Department of Justice, and the Department of Defense.

Copy of the interview report form setting forth results of interview of Dr. J. Lewis Fielding on July 20, 1971. This interview report form was included in Los Angeles report of July 20, 1971, which had been disseminated to the Internal Security Division, Department of Justice, and the Department of Defense.

Copy of a page from Los Angeles report of August 11, 1971, setting forth various addresses including that of [redacted] This report was disseminated to the Internal Security Division, Department of Justice, and the Department of Defense.

Copy of three-page summary teletype from the Los Angeles Office dated September 2, 1971, reporting developments in the investigation. A copy of this teletype was disseminated to the Internal Security Division, Department of Justice.

UNITED STATES vs ANTHONY JOSEPH
RUSSO, JR., AND DANIEL ELLSBERG

NOTE:

Information set forth in LHM being provided to Department of Justice based on instructions to the Department from Federal Judge W. Matt Byrne, Jr., presiding at the trial of both Ellsberg and Russo in Los Angeles.

GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Mr. Felt ✓
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S. ✓
Mr. Soyars
Mr. Thompson
Mr. Walters ✓
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

TO : MR. FELT

DATE: May 11, 1973

FROM : L. M. WALTERS [redacted]

SUBJECT: U.S. vs ANTHONY JOSEPH RUSSO, JR., AND DANIEL ELLSBERG ELECTRONIC SURVEILLANCE

The Los Angeles Office, by teletype dated 5/8/73 in captioned matter, informed that during the Ellsberg trial session on 5/8/73 the defense had announced that the 5/14/73 issue of "Time" magazine would contain information that in July, 1971, former Assistant Attorney General Mardian authorized "raw FBI files" and results of FBI wiretaps be turned over to Howard Hunt and Gordon Liddy. The Acting Director instructed "Mardian should be asked about this."

On the afternoon of 5/10/73 Robert C. Mardian was interviewed by Inspector [redacted] and Special Agent [redacted] This interview was conducted during the ongoing inquiry being conducted by the Inspection Division regarding highly sensitive wiretap coverage of White House personnel and newsmen during the period 1969-1971. The results of that interview have been reported separately.

In conjunction with that interview, this is to report that former Assistant Attorney General Mardian categorically denied that he had ever authorized the turning over of "raw FBI files" or the results of FBI wiretaps to either Howard Hunt or Gordon Liddy.

ACTION:

For information.

ST-102

MLC-64 65-74260-4382

NO JUN 11 1973

1 - Mr. Miller

OTJ:gms 343

6 (3) JUN 15 1973

Have we ever been able to determine where those raw files came from? SPECIAL FILE

[redacted]

Secret X

1 - Mr. Eardley
1 - Mr. E. S. Miller
1 - Mr. J. R. Wagoner

Assistant Attorney General
Criminal Division

5/24/73

REC-84

Acting Director, FBI 65-74060-4376

U. S. vs ANTHONY J. RUSSO, JR., et al.

Reference is made to the letter of May 3, 1973, from Mr. Mitchell Rogovin to the Attorney General requesting information as to whether his client Neil Sheehan or any member of his family or Mr. Rogovin was the subject of investigation conducted by The White House regarding the publication of the so-called "Pentagon Papers." Reference is also made to this Bureau's memorandum of May 8, 1973, and your memorandum of May 18, 1973.

A review of the additional records obtained on May 12, 1973, from the office of John Ehrlichman, formerly of The White House, revealed no information indicating Sheehan, his wife or Mr. Rogovin was the subject of an investigation conducted by The White House nor were they the subjects of electronic coverage placed directly on them. The records were checked under their true names and names which they have reportedly used as follows: Cornelius Mahoney Sheehan, also known as Neil Sheehan, Samuel Johnson; Susan Sheehan, also known as Susan Dowling; and Mitchell Rogovin.

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF 1960 DATE 5-22-73

MAILED 3 MAY 25 1973 FBI

[redacted]

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Eardley
Mrs. Hogan

65-74060

JRW:wmc/jas
(6)

Classified by GDS
Exempt from GDS, Category
Date of declassification indefinite

SEE NOTE PAGE TWO

6 JUN 15 1973 343

Secret

MAIL ROOM ☐ TELETYPE UNIT ☐

ROUTE IN ENVELOPE

Secret

Assistant Attorney General
Criminal Division

NOTE:

Rogovin, an attorney with Arnold and Porter, Washington, D. C., in the letter dated 5/3/73, identified Neil Sheehan as his client. Sheehan is the "New York Times" reporter whose by-line appeared on the "New York Times" articles setting forth the so-called "Pentagon Papers" in issues published 6/13,14&15/71. Rogovin in his letter to the Attorney General said he had been requested to inquire if Sheehan or any member of his family or Rogovin was the subject of an investigation conducted by The White House and further whether the civil rights of these individuals had been violated as a result of such investigation.

By letter dated 5/8/73, we advised the Attorney General that Bureau files did not set forth any information indicating whether or not the named individuals were subject of White House investigation or that their civil rights had been violated.

Current letter from Assistant Attorney General, Criminal Division, requests an updating of FBI letter 5/8/73, relative to the records obtained from the office of Ehrlichman on 5/12/73.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

NR006 CG CODED

12:40PM URGENT 5/9/73 PFH

TO ACTING DIRECTOR (65-74060)

FROM CHICAGO (65-5369)

[redacted]

ELSUR; MC LEK

RE BUTEL 5/8/73.

UP DATED SPECIAL INDICES NEGATIVE RE NAMES SET FORTH BUTELS 7/12/72, 8/8/72 AND 2/13/73.

END.

DLM FBI HQ CLR

REC-96. 65-74060-1305

MAY 15 1973

6 MAY 18 1973

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. [illegible] E.S.
Mr. Stevens
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Boise
Mr. Barnes
Mr. Bowers
Mr. Mardian
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

NR001 CE CODED

1129 AM URGENT 5-9-73 KCL

TO ACTING DIRECTOR (65-74060)

LOS ANGELES (105-279.-,

FROM CHARLOTTE (65-1767)(P) 1P

ELSUR; MC LEK.

RE BUTEL TO BALTIMORE AND SELECTED OFFICES, 5/8/73.

PRIOR ELSUR CHECKS, CHACLOTTE DIVISION, BROUGHT UP-TO-DATE WITH NEGATIVE RESULTS.

END

REC-96 65-74060-4323

DLM FBI HQ CLR

12 MAY 15 1973

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 9 1973

TELETYPE

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Mo[illegible]
Mr. [illegible] E.S.
Mr. Sc[illegible]
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Poise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. [illegible]
Mr. Eardley
Mrs. Hogan

NR004 BU CODE

3:00PM URGENT 5-9-73 DMB

TO ACTING DIRECTOR (65-74060)

LOS ANGELES (105-27962)

FROM BUFFALO (92-100-SUB 2) 1P

ELSUR; MC LEK

RE BUTELS 5/8/73 AND BUTELCALLS 5/9/73.

REMYTELCAL TODAY.

BUFFALO ELSUR CHECKS NEGATIVE.

BUFFALO HAS NOT SOLICITED ANY ELSURS OR OVERHEARS OF WIRE OR ORAL COMMUNICATIONS TO BE CONDUCTED BY ANY STATE OR LOCAL GOVERNMENT AGENCY OR PRIVATE PARTIES OR COMPANIES OR CONDUCTED BY SUCH AGENCY IN COOPERATION WITH OR IN CONJUNCTION WITH THE FBI OR CONDUCTED BY SUCH ENTITIES WITHIN THE KNOWLEDGE OF THE FBI.

REC-96 65-74060-45

[redacted] INDICES SEARCHED BY CHIEF CLERK [redacted]

[redacted] FILES REVIEWED BY [redacted]

END

RXH FBI HQ CLR

6 MAY 18 1973

[redacted]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Mohr
Mr. Bates
Mr. Sevens
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Paige
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Bardley
Mrs. Hogan

NR 001 MI CODE

12-15PM URGENT 5-9-73 EEF

TO ACTING DIRECTOR (65-74060)

FROM MILWAUKEE (66-950) P IP

[redacted]

ELSUR; MC LEK (NATIONALITIES INTELLIGENCE SECTION)

REBUTELS, 7-12-72, 8-8-72, 2-13-73, AND 5-8-73.

SEARCH OF MILWAUKEE ELSUR INDICES THIS DATE BY SA [redacted] RESULTED IN NO REFERENCES LOCATED FOR COVERAGE OF [redacted]

IN VIEW OF ABOVE, ALL QUESTIONS AS SET FORTH IN REBUTEL, 7-12-72, ARE NEGATIVE REGARDING [redacted] INFO AS SET FORTH IN MITEL, 7-13-72, REMAINS UNCHANGED.

END

DLM FBI HQ CLR

REC-96

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

NR 001 SJ CODE

1:55PM IMMEDIATE 5/9/73 GTW

TO ACTING DIRECTOR (65-74060)

FROM SAN JUAN (66-868) 1P

ELSUR; MC LEK.

RE BUREAU TELTYPE TO BALTIMORE, ET AL, 5/8/73.

SAN JUAN INDICES AND SPECIAL INDICES NEGATIVE CONCERNING INDIVIDUALS INVOLVED IN CAPTIONED MATTER.

END

DKS FBI WASHDC

REC-96 65-74060-1317

MAY 15 1973

6 MAY 18 1973

TELETYPED TO FTB

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Bates
Mr. James
Mr. Kennelon
Mr. Conmy
Mr. Bardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 9 1973

TELETYPE

NR011 WF CODED

610 PM URGENT 5-9-73 WWC

TO ACTING DIRECTOR (65-74060) ATTN: INTD

FROM WASHINGTON FIELD 65-11613 SUB 2 [redacted]

ELSUR; MC LEK

REBUTEL TO BALTIMORE AND ADDITIONAL OFFICES 5/8/73 REQUESTING UPDATE OF ELSUR CHECKS.

PRIOR ELSUR CHECKS ON DANILE ELLSBERG, ANTHONY J. RUSSO, JR. AND ON LEONARD B. BOUDIN, [redacted] UPDATED AS DIRECTED IN RE BUTEL AND NEGATIVE.

END

VAE FBIHQ CLR

REC-96 65-74060-1518

MAY 9 1973

6 MAY 18 1973

Mr. Tolson
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Conny
Mr. Eardley
Mrs. Hogan

COMMUNICATIONS SECTION

MAY 9 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Mintz
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Bates
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conroy
Mr. Minn
Mr. Eardley
Mrs. Hagen

NR001 LA CODE

10:57AM URGENT 5-9-73 DAN

TO ACTING DIRECTOR (65-74060)

ATTN: INTD

FROM LOS ANGELES (105-27952)

[redacted]

ELSUR; MC LEK, SIO

REBUTELS JULY TWELVE LAST, AUGUST EIGHT LAST, FEBRUARY THIRTEEN LAST AND MAY EIGHT LAST.

NONE OF THE INDIVIDUALS OR ADDRESSES SET FORTH IN REFERENCED BUREAU TELETYPES HAVE APPEARED IN LOS ANGELES ELSUR INDICES FROM TIME OF LAST CHECK ON FEBRUARY FOURTEEN LAST TO CURRENT DATE.

END

DKS FBI HQ CLR

REC-96 65-74060-4319

MAY 15 1973

6 MAY 18 1973

[redacted]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

NR003 PH CODE

11:17AM 5/9/73 URGENT DGE

TO ACTING DIRECTOR (65-74060) ATTN. INTELLIGENCE DIVISION

FROM PHILADELPHIA (65-6346-SUB C) (C) 1P

[redacted]

MC LEK

RE BUREAU TELETYPE, 5/8/73.

REVIEW OF PHILADELPHIA ELECTRONIC INDICES FAILED TO SHOW [redacted] WAS PRESENT AT OR PARTICIPATED IN CONVERSATIONS OVERHEARD BY AN ELECTRONIC SURVEILLANCE BY THE PHILADELPHIA OFFICE, OR WAS AN OWNER, LESSEE OR LICENSEE OF A PREMISE WHICH WAS SUBJECTED TO AN ELECTRONIC SURVEILLANCE BY THE PHILADELPHIA OFFICE. (C)

INDICES SEARCHED BY [redacted]

END

JTG FBI HQ CLR

REC-96 65-74060-4316

17 MAY 15 1973

ROUTE IN ENVELOPE

6 MAY 18 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Bates E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Boise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Minz
Mr. Eardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 08 1973

TELETYPE

NR10 NY CODE

200PM URGENT 5/9/73 MTD

TO ACTING DIRECTOR 65-74060

ATTN: INTD

FROM NEW YORK 65-25641 1P

[redacted]

ELSUR; MC LEK

REBUTELS(2), 5/8/73, AND BUTELS 7/12/72, 8/8/72, AND 2/13/73.

[redacted] ELSUR CHECK AND APPROPRIATE FILE REVIEWS REGARDING [redacted] NCE DATE 12/1/70 NEGATIVE.

UPDATED ELSUR CHECK MADE BY SPECIAL AGE[redacted] CONCERNING INDIVIDUALS NAMED IN REFERENCED 1972 BUTE[redacted] AND 2/13/73 BUTEL NEGATIVE.

THE REFERENCE IN BUREAU INDICES TO MR. RUSSO, NEW YORK 6406-S ON 2/20/73, MENTIONED IN REBUTEL 5/8/73, NOT IDENTICAL TO SUBJECT ANTHONY RUSSO.

REFERENCE TO [redacted] 2/26/73, MENTIONED IN REBUTEL 5/8/73, NOT IDENTIFIABLE WITH ANY INDIVIDUAL BY THIS NAME, SPECIFICALLY [redacted]

END

DLM FBI HQ CLR

6 MAY 18 1973

Mr. Felt
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Mohr
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Boise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Bishop
Mr. Sayers
Mr. Thompson
Mr. W. Jones
Mr. Bowman
Mr. Felde
Mr. Jones
Miss Metcalf
Mr. Herington
Mr. Conmy
Miss Gandy
Mr. Bardley
Mrs. Hogan

NR 005 DL CODE

1110 AM URGENT 5-9-73 IPR

TO ACTING DIRECTOR (65-74060)

FROM DALLAS (66-1313) (P)

[redacted]

ELSUR; MC LEK

[redacted] REBUTEL TO BUFFALO AND OTHER OFFICES, 5/8/73.

[redacted]DALLAS INDICES R[redacted]ATIVE.

ANSWER TO QUESTIONS A THROUGH F OF DEPARTMENTAL MEMORANDUM

DATED 4-15-69 NEGATIVE.

END

REC-95 65-74060-4314

17 MAY 15 1973

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Jenkins
Mr. Marsh
Mr. Miller
Mr. Sisco
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Bates
Mr. Barnes
Mr. Conmy
Mr. Eardley
Mrs. Hogan

NR004 DE CODE

4:07 PM URGENT 5-9-73 NMG

TO ACTING DIRECTOR (65-74060)

FROM DETROIT (65-4087) (RUC) 1P

[redacted]

ELSUR; MC LEK

RE BUREAU TELETYPE TO DETROIT, 5/8/73.

ELSUR CHECK REGARDI[redacted]INCE DATE OF 12/1/70, CONDUCTED AND THERE IS NO RECORD.

END

GWS WAS DC

ACK CLR FOR ONE

REC-96 65-[illegible] 1513

17 MAY 15 1973

5-

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 9 1973

TELETYPE

NR 001 JN EN CODED

1:35 PM URGENT 5/9/73 CXE

TO ACTING DIRECTOR, FBI (65-74060)

FROM JACKSON (66-100-82) 1P

[redacted]

ELSUR; MC LEK

RE BUREAU TELETYPE TO JACKSON, 5/8/73.

REVIEW OF JACKSON INDICES REFLECT NO INFORMATION RECEIVED ON [redacted] 12/1/70.

[redacted] EVER PRESENT AT, OR PARTICIPANT IN, ANY CONVERSATIONS OVERHEARD IN ANY ELECTRONIC SURVEILLANCE CONDUCTED BYTHE JACKSON DIVISION.

NO ELECTRONIC SURVEILLANCE EVER CONDUCTED BY JACKSON ON ANY PREMISES IN WHI[redacted] THE OWNER, LEASEE, OR LICENSEE. ITEMS "A" THROUGH "E" INCLUSIVE, AS SET FORTH IN U. S. DEPARTMENT OF JUSTICE, CRIMINAL DIVISION, MEMO DATED 4/16/69, HAVE BEEN NOTED AND DO NOT APPLY REGARDING [redacted]

END

DLM FBIHQ CLR

6 MAY 18 1973

REC-93

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Mohr
Mr. Sayers
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Conmy
Mr. Bardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Ge...
Mr. Jenkins
Mr. M...
M... EPM
Mr. S...
Mr. Thompson
Mr. W...
Tele. ...
Mr. Boise
Mr. Barnes
Mr. Bo...
Mr. Mer...
Mr. Conny
Mr. ...
Mr. Sandoy
Mrs. Hogan

NR001 OC CODE

1049AM URGENT 5/9/73 EPM

TO ACTING DIRECTOR 65-74060

FROM OKLAHOMA CITY 92-696

[redacted]

ELSUR; MC LEK

REURTEL 5/8/73.

ELSUR INDICES OKLA. CITY OFFICE SEARCHED FOR NAME [redacted] WITH FOLLOWING RESULTS:

A. NO

B. NO

C. THROUGH F. N/A

OKLA. CITY HAS SENT NO COMMUNICATION CONCERNING [redacted]

END

REC-96 65-74060-4

DKS FBI HQ CLR

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 09 1973

TELETYPE

NR008 NH CODE

3:33 PM URGENT 5/9/73 SEB

TO: ACTING DIRECTOR (65-74060) (ATTN: INTD)

FROM: NEW HAVEN (65-2389) (SUB A)

[redacted]

MC LEK (NIS)

RE BUTEL, 5/8/73, AND TELEPHONE CALLS 5/9/73.

ELSURE INDICES, NHO SEARCHED IN ACCORDANCE WITH RETEL BY [redacted] NEGATIVE.

END

!

VAE FBIHQ CLR

REC-96 65-74060-4309

6 MAY 18 1973

[redacted]

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Thompson
Mr. [illegible]
Mr. [illegible]
Mr. Paige
Mr. Torres
Mr. [illegible]
Mr. [illegible]
Mr. Conroy
Mr. [illegible]
Mr. Ponday
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 13 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

NR 004 NK CODE

2:40 PM 5/9/73 URGENT WXW

TO ACTING DIRECTOR (65-74060)

FROM NEWARK (65-6215)

ELSUR; MCLEK.

[redacted]

RE BUTELS 7/12/72, 2/13/73, AND 5/8/73.

REVIEW OF NEWARK'S SPECIAL INDICES REVEAL NO ELSUR ON INDIVIDUALS MENTIONED IN REFERENCED COMMUNICATIONS. IN ADDITION, NEWARK CONDUCTED NO ELECTRONIC SURVEILLANCE ON PREMISES IN WHICH THESE INDIVIDUALS HAD A PROPRIETARY INTEREST.

NEWARK FILES AND INDICES REVEAL NO INFORMATION THAT ANY ELSUR HAS BEEN SOLICITED BY THE BUREAU TO BE CONDUCTED BY ANY STATE OR LOCAL GOVERNMENT AGENCY OR PRIVATE PARTIES OR COMPANIES OR CONDUCTED BY SUCH AGENCY IN COOPERATION WITH OR IN CONJUNCTION WITH THE FBI, OR CONDUCTED BY SUCH ENTITIES WITHIN THE KNOWLEDGE OF THE FBI CONCERNING THESE INDIVIDUALS.

END

RXH FBI HQ CLR

REC-96 65-74060-[illegible]

17 MAY 15 1973

6 MAY 18 1973

FBI

TELETYPE

NR 008 BS CODE

1:45 PM URGENT 5-9-73 DAO

TO: ACTING DIRECTOR (65-74060) ATT: INTD

LOS ANGELES (105-27952)

FROM: BOSTON (65-5236) (P)

[redacted]

ELSUR; MC LEK.

RE BUREAU TELETYPE MAY EIGHT, LAST.

UP-TO-DATE ELSUR CHECKS AS REQUESTED IN REFERENCED TELETYPE ARE NEGATIVE IN BOSTON DIVISION.

END

DLM FBI HQ CLR

REC-96 65-74060-1307

17 MAY 15 1973

6 MAY 18 1973

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Mohr
Mr. Sayers
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Boise
Mr. Barnes
Mr. Bowers
Mr. Herrington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 6 8 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Mintz
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Mintz
Mr. Eardley
Mrs. Hogan

NR 001 BA CODED

QCTT PM URGENT 5-9-73 LEF

TO: ACTING DIRECTOR (65-74060)

FROM: BALTIMORE (65-3896) (4RUC)

[redacted]

ELSUR; MC LEK

RE BUTEL 5-8-73.

FOR INFORMATION OF BUREAU, BALTIMORE IS NOT IN RECEIPT OF BUTEL 8-8-72, AND 2-13-73, WHICH WERE REFERENCED IN REFERENCED TELETYPE. CHECK BALTIMORE INDICES REMAIN NEGATIVE [redacted] ELSUR.

END

RXH FBI HQ CLR

REC-96 65-74060-4330

5/9/73 Supv Wardwell
Baltimore
[redacted]

6 MAY 8 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 08 1973

TELETYPE

NR 003 SA CODE

3:05 PM URGENT 5-8-73 DET

TO ACTING DIRECTOR (65-74060)

FROM SAN ANTONIO (134-27-SUB 2) 1P

[redacted]

ELSUR; MC LEK.

RE BUREAU TELETYPE INSTANT.

SAN ANTONIO HAS MONITORED NO COMMUNICATIONS INVOLVING [redacted] NOR WERE ANY PREMISES IN WHICH HE HAD A PROPRIETARY INTEREST SUBJECT TO MONITORING.

END

Z JLW

WGM FBIHQ CLR ORXXX FOR UR ONE TEL

REC-96

6 MAY 18 1973

FBI
COMMUNICATIONS SECTION

TELETYPE

NR 022 LA CODE

7:10 PM URGENT 5/8/73 RWM

TO ACTING DIRECTOR (65-74060) ATTN: INTD

FROM LOS ANGELES (105-27952) 1P.

[redacted]

ELSUR; MC LEK, SIO.

[redacted] REBUTEL, MAY EIGHT INSTANT.

LOS ANGELES ELSUR INDICES CONTAIN NO RECORD ON [redacted]

[redacted]

END

HOLD

REC-96

65-74060-4[illegible]

17 MAY 15 1973

6 MAY 18 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Mohr
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Boise
Mr. Barnes
Mr. Lewis
Mr. Herrington
Mr. Cooney
Mr. Mintz
Mr. Bardley
Mrs. Hogan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 08 1973

TELETYPE

Mr. Felt	
Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. Gebhardt	
Mr. Jenkins	
Mr. Marshall	
Mr. Soyars	
Mr. Thompson	
Mr. Walters	
Tele. Room	
Mr. Beise	
Mr. Barnes	
Mr. Lowrie	
Mr. Bowers	
Mr. Conmy	
Mr. Mohr	
Mr. Eardley	
Mrs. Hogan	

NR002 HO CODE

4:39 PM URGENT 5-8-73 MCY

TO ACTING DIRECTOR

FROM HOUSTON (92-603) 1P

ELSUR; MC LEK.

RE BUREAU TEL, 5-8-73, CAPTIONED AS ABOVE.

CHECK OF APPROPRIATE RECORDS, HOUSTON DIVISION, MADE

RE [redacted] IN ACCORDANCE WITH DEPARTMENT MEMORANDUM 4-16-69 AND BUAIRTEL 5-2-69. RESULTS NEGATIVE.

END

GWS WASH DC

~~ACK CLR~~

REC-96 (4302

1973

ROUTE IN ENVELOPE

6 MAY 18 1973

FBI

TELETYPE

Mr. Felt	
Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. Gebhardt	
Mr. Jenkins	
Mr. Marshall	
Mr. Sears	
Mr. Thompson	
Mr. Walters	
Tele. Room	
Mr. Paine	
Mr. Barnes	
Mr. Bowers	
Mr. Heimbach	
Mr. County	
Mr. Ivey	
Mr. Eardley	
Mrs. Hogan	

NR019 CG CODE

700PM NITEL 5-8-73 RWR

TO ACTING DIRECTOR (65-74060)

FROM CHICAGO (65-5369) 1P

[redacted]

ELSUR - MC LEK.

[redacted] CHICAGO SPECIAL INDICES NEGATIVE REGARDING [redacted]

[redacted] INCE DATE OF 12-1-70.

END

HOLD

REC-96

6 MAY 18 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

Mr. Tell
Mr. Bates
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conmy
Mr. Eardley
Mrs. Hogan

NR004 SI CODE

708PM NITEL 5-8-73 GWM

TO: ACTING DIRECTOR (65-74060)
FROM: SPRINGFIELD (66-2663) (1P)

[redacted]

ELSUR: MC LEK.

[redacted] RE BUREAU TELETYPE 5-8-73.

[redacted] NOT PRESENT AT, OR A PARTICIPANT INCONVERSATION OVERHEARD IN ANY ELECTRONIC SURVEILLANCE BY THIS OFFICE.

[redacted] B. NO ELECTRONIC SURVELANCE CONDUCTED ON ANY PREMISES OF WHIC[redacted] WAS OWNER, LESSEE, OR LICENSEE.

C. THROUGH F. NONE.

END

AND ACK FOR THREE

ACK FOR THREE TELS
VAE FBIHQ CLR

REC-96

4300

6 MAY 18 1973

CODE TELETYPE Secret URGENT

5/8/73

TO SACS BUFFALO
CHICAGO
DALLAS
DETROIT
HOUSTON
JACKSON
KANSAS CITY
LOS ANGELES
NEW YORK
OKLAHOMA CITY
SAN ANTONIO
SAN FRANCISCO
SPRINGFIELD
WFO

[redacted]

1 - Mr. W.V. Cleveland
Attn: Mr. Harwood
1 - Mr. R. H. Horner
1 - Mr. L. E. Belanger

FROM ACTING DIRECTOR, FBI (65-74060)

[redacted] ELSUR; MC LEK

CONDUCT ELSUR CHECK REGARDING [redacted] SINCE DATE OF 12/1/70.

[redacted]

REFER TO BUREAU AIRTEL TO ALL OFFICES DATED 5/2/69, CAPTIONED "DEPARTMENTAL INQUIRIES CONCERNING ELECTRONIC SURVEILLANCE COVERAGE" AND ITS ENCLOSURE.

ALL OFFICES ADVISE BY TELETYPE BY CLOSE OF BUSINESS 5/9/73, WITHOUT FAIL, RESULTS OF YOUR CHECKS, INCLUDING IDENTIFYING DATA REGARDING ALL PERTINENT TELETYPES, AIRTELS, REPORTS OR OTHER COMMUNICATIONS FORWARDED TO BUREAU CONTAINING PERTINENT INFORMATION SO THAT FILE SEARCH MAY BE INSTITUTED AT FBIHQ. WHERE PERTINENT INFORMATION FURNISHED TO OTHER OFFICES, SET OUT LEADS IMMEDIATELY

EX-109 REC-76 4/29

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF REG DATE 5/22/73

16 MAY 9 1973

SEE NOTE PAGE 3

Classified by 6080
Exempt from GDS, Cat [redacted]
Date of Declassification Indefinite
29 D/Poc 6-18-77

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Eardley
Mr. Hogan

RJD:rmb (5)

FEDERAL BUREAU OF INVESTIGATION COMMUNICATIONS SECTION

MAY 9 1973

TELETYPE

ROUTE IN ENVELOPE

FSP/DC

RJD

6 MAY 15 1973

MAIL ROOM TELETYPE UNIT

Secret

Secret

TELETYPE TO BUFFALO ET AL.
RE: ELSUR; MC LEK
65-74060

[redacted]

NOTE:

Above request made 5/7/73 to SA [redacted] by Departmental Attorney John Martin, Criminal Division.

Bureau airtel 5/2/69, referred to above, enclosed Departmental letter setting out extent of information desired in elsur checks.

Attorney General letter 7/14/69 specifies procedures to be followed to avoid overhearing defendants in Federal criminal cases as well as conversations regarding defense strategy.

Secret

Assistant Attorney General
Criminal Division

April 27, 1973

Acting Director, FBI

REC-76 65-116160-4238

1 - Mr. Miller
1 - Mr. Mintz
1 - Mr. Williamson

DANIEL ELLSBERG, et al. v.
JOHN N. MITCHELL, et al.
(D. D. C.) CIVIL ACTION NO. 1879-72 EX-105

[redacted]

Enclosed are copies of 149 items furnished in response to the request contained in your letter of April 13, 1973, captioned as above.

The material requested concerning Leonard B. Boudin for the year 1970 was furnished to Assistant Attorney General A. William Olson, Internal Security Division, on July 17, 1972. On August 15, 1972, the requested information concerning [redacted] for the year 1971 was made available to Deputy Assistant Attorney General Daniel J. McAuliffe, Internal Security Division. These materials were delivered in connection with United States v. Anthony Joseph Russo, Jr., and Daniel Ellsberg.

Enclosures (149)

MAILED 5
APR 27 1973
FBI

TOP SECRET MATERIAL ATTACHED

NOTE: Based on incoming letter from the Department, same caption, dated April 13, 1973. Bureau letters dated 7/20 and 8/17/72, to the Assistant Attorney General, Internal Security Divison captioned "Joseph Russo, Jr., and Daniel Ellsberg - ELSUR" confirmed delivery of ELSUR material on [redacted] as set forth above. The enclosures with this letter are the logs and authorizations for the overhears which are set forth in our LHM dated 10/18/72, forwarded to the Internal Security Division by our letter dated 10/26/72, captioned as above.

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mr. Neenan

JLW:deh
(7)

3 Xerox Made
1 - WFO
1 - T-Rm 5015 AGB/KK
1 - 74-2474

XEROX MAY 1 1973

MAY 3 1973

WGC

MAIL ROOM ☐ TELETYPE UNIT ☐

6 MAY 15 1973

W. WILLIAMSON

UNRECORDED COPY FILED IN 65-116160-3

1 - Mr. [redacted] R. Wagoner

CODE TELETYPE URGENT

3/6/73

TO: SACS, BOSTON
NEW YORK
WFO

[redacted]

EX-109
REC-43

FROM: ACTING DIRECTOR, FBI (65-74060)- 7188

MC LEK, CI-3.

FOR INFORMATION OF RECIPIENTS, VICTOR RABINOWITZ WAS NAMED AN ATTORNEY OF RECORD BY THE DEFENSE IN TRIAL OF DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., AS OF 3/1/73. RECIPIENTS INSURE AGAINST MONITORING DEFENDANTS' OR THEIR ATTORNEYS' CONVERSATIONS. PREVIOUS INSTRUCTIONS STATE THAT UPON HEARING OF SUCH CONVERSATIONS, BUREAU EMPLOYEES SHOULD IMMEDIATELY CEASE MONITORING, MAKE APPROPRIATE NOTATION ON LOG AS TO OVERHEARING, SEAL THE RECORD OF COVERAGE, PREPARE APPROPRIATE MEMORANDA CERTIFYING THAT EMPLOYEE WILL NOT RELATE SUBSTANCE OF CONVERSATION TO ANY REPRESENTATIVE OF GOVERNMENT OR TO ANYONE ELSE EXCEPT UPON ORDER OF ATTORNEY GENERAL. THE SEALED LOG AND CERTIFICATION SHOULD BE IMMEDIATELY FORWARDED TO BUREAU FOR TRANSMITTAL TO APPROPRIATE ASSISTANT ATTORNEY GENERAL.

JRW:mlr
(3)

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 06 1973
535 PMBT
TELETYPE

FSP
DC

6 MAR 14 1973 ROUTE IN ENVELOPE

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 06 1973

TELETYPE

NR 017 LA CODE

10:41 PM NITEL 3/5/73 RWM

TO ACTING DIRECTOR (65-74060) ATTN: I D

FROM LOS ANGELES (105-27952) 2P.

MC LEK, SIO.

TESTIMONY OF CONGRESSMAN PAUL MC CLOSKEY CONSUMED ENTIRE COURT SESSION MARCH FIVE INSTANT. MC CLOSKEY WAS NOT ALLOWED BY COURT TO TESTIFY TO THE MOTIVATION OF ELLSBERG IN COPYING THE MC NAMARA STUDY NOR TO THE WORK OF HIS CONGRESSIONAL COMMITTEE IN THEIR STUDY OF CLASSIFICATION METHODS EMPLOYED BY THE GOVERNMENT. MC CLOSKEY'S TESTIMONY RELATED SOLELY TO ONE VOLUME OF THE STUDY TITLED, QUOTE MARINES LAND AT DA NANG UNQUOTE. HE STATED THE DISCLOSURE OF THIS VOLUME IN NINETEEN SIXTYNINE WOULD NOT HAVE HARMED THE NATIONAL DEFENSE AS ONCE THE LANDING HAD OCCURRED IT WAS A HISTORICAL FACT AND IN THE REALM OF PUBLIC DEMAIN. UNDER CROSS EXAMINATION PROSECUTOR NISSEN BROUGHT OUT THAT THE VOLUME CONTAINED MANY ITEMS OF MILITARY INTELLIGENCE THAT THE MERE LANDING OF THE MARINES AT DA NANG WOULD NOT HAVE SHOWN.

END PAGE ONE

EX-109 REC 43 65-74060-4198

MAR 7 1973

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

ADMINISTRATIVE:

IT IS ANTICIPATED THAT THE NEXT DEFENSE WITNESS WILL BE CIA AGENT SAMUEL ADAMS.

BUREAU IS REQUESTED TO ADVISE NEW YORK AND WASHINGTON FIELD THAT VICTOR RABINOWITZ HAS BEEN NAMED AN ATTORNEY OF RECORD BY THE DEFENSE AS OF MARCH ONE LAST AND ADVISE THESE OFFICES TO EMPLOY THE USUAL PRACTICES IN THE MONITORING OF ANY CONVERSATIONS IN WHICH RABINOWITZ MAY BE OVERHEARD.

END

1 - Mr. W. A. [redacted]rwood
1 - Mr. J. R. Wagoner

Assistant Attorney General
Internal Security Division

February 21, 1973

Acting Director, FBI

UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to the request of Departmental Attorney John Martin on February 13, 1973, for an updating of electronic surveillance information for attorneys of record, their agents and employees, Anthony Joseph Russo, Jr. and Daniel Ellsberg. Reference is also made to my letters dated July 20, 1972, and August 17, 1972, which set forth results of prior electronic surveillance checks in this matter.

Our records reveal that the attorneys of record, their agents and employees, Russo and Ellsberg, have not been the subjects of direct electronic coverage other than those incidents previously described in referenced letters. Our records further reveal that no premises in which these individuals were known to have had a proprietary interest have been subjects of electronic surveillance by this Bureau.

MAILED 7
FEB 22 1973
FBI

The FBI has not requested any electronic surveillances be conducted by any state or local governmental agency, private parties, corporations, or companies of the above-described individuals. In addition, no electronic surveillances have been conducted by such agencies in cooperation with or in conjunction with the FBI or conducted by such entities within the knowledge of the FBI.

The foregoing information is for the specific time periods for each of the above individuals as set forth in your letter dated July 11, 1972, and up to February 13, 1973. The above information was furnished to Mr. Martin on February 14, 1973, by Special Agent James R. Wagoner.

65-74060

12 FEB 22 1973

JRW:mlr
(5)

SEE NOTE PAGE TWO

XEROX

FEB 22 1973

ROUTE IN ENVELOPE

6 FEB 26 1973

MAIL ROOM TELETYPE UNIT

Assistant Attorney General
Internal Security Division

NOTE:

By letter dated 7/11/72, the Internal Security Division enclosed a court order from the Federal District Court, Los Angeles, California, requesting elsur information for attorneys, subjects, and certain individuals involved in the Ellsberg case. Departmental Attorney John Martin telephonically requested SA James R. Wagoner on 2/13/73 to update elsur checks concerning these individuals.

G

1 - Mr. W. A. Harwood
1 - Mr. J. R. Wagoner

Assistant Attorney General
Internal Security Division

February 21, 1973

Acting Director, FBI

UNITED STATES vs. ANTHONY JOSEPH RUSSO, JR.
AND DANIEL ELLSBERG
ELECTRONIC SURVEILLANCE

Reference is made to the request of Departmental Attorney John Martin on February 13, 1973, for an updating of electronic surveillance information for attorneys of record, their agents and employees, Anthony Joseph Russo, Jr. and Daniel Ellsberg. Reference is also made to my letters dated July 20, 1972, and August 17, 1972, which set forth results of prior electronic surveillance checks in this matter.

Our records reveal that the attorneys of record, their agents and employees, Russo and Ellsberg, have not been the subjects of direct electronic coverage other than those incidents previously described in referenced letters. Our records further reveal that no premises in which these individuals were known to have had a proprietary interest have been subjects of electronic surveillance by this Bureau.

MAILED 7
FEB 21 1973
FBI

The FBI has not requested any electronic surveillances be conducted by any state or local governmental agency, private parties, corporations, or companies of the above-described individuals. In addition, no electronic surveillances have been conducted by such agencies in cooperation with or in conjunction with the FBI or conducted by such entities within the knowledge of the FBI.

The foregoing information is for the specific time periods for each of the above individuals as set forth in your letter dated July 11, 1972, and up to February 13, 1973. The above information was furnished to Mr. Martin on February 14, 1973, by Special Agent James R. Wagoner.

REC-40 65-74060 +4177

12 FEB 22 1973

65-74060

JRW:mlr
(5)

SEE NOTE PAGE TWO

XEROX

FEB 22 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

ROUTE IN ENVELOPE

MAIL ROOM ☐ TELETYPE UNIT ☐

6 FEB 26 1973

Assistant Attorney General
Internal Security Division

NOTE:

By letter dated 7/11/72, the Internal Security Division enclosed a court order from the Federal District Court, Los Angeles, California, requesting elsur information for attorneys, subjects, and certain individuals involved in the Ellsberg case. Departmental Attorney John Martin telephonically requested SA James R. Wagoner on 2/13/73 to update elsur checks concerning these individuals.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 15 1973

TELETYPE

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR008 BU CODED

12/20 AM 2/15/73 NITEL 2/14/73 DLE

TO ACTING DIRECTOR (65-74060)

LOS ANGELES (105-27952)

FROM BUFFALO (92-100-SUB B) P ONE PAGE

MC LEK (NATIONALITIES INTELLIGENCE SECTION [redacted]

REBUTELS, 7/12/72, 8/8/72 AND 2/13/73 AND BUFFALO TEL 9/28/72.

UPDATED BUFFALO ELSUR CHECKS NEGATIVE.

BUFFALO HAS NOT SOLICITED ANY ELSURS OR OVERHEARS OF WIRE OR ORAL COMMUNICATIONS TO BE CONDUCTED BY ANY STATE OR LOCAL GOVERNMENTAL AGENCY OR PRIVATE PARTIES OR COMPANIES OR CONDUCTED BY SUCH AGENCY IN COOPERATION WITH OR IN CONJUNCTION WITH THE FBI OR CONDUCTED BY SUCH ENTITIES WITHIN THE KNOWLEDGE OF THE FBI.

EX-117 REC-28 65-74060-4174

INDICES SEARCHED AND FILE REVIEWS BY SA [redacted]

END

FEB 21 1973

LNG FBI HQ CLR GU TU AR

6 FEB 26 1973

SPEC. MAIL RM.

COMMUNICATIONS SECTION

FEB 15 1973

NR003 WF CODE

TELETYPE

245PM URGENT 2-15-73 SAT

TO ACTING DIRECTOR (65-74060)

FROM WASHINGTON FIELD (65-11613) ONE PAGE

[redacted] MC LEK (NATIONALITIES INTELLIGENCE SECTION)

RE BUREAU TELETYPE DATED 2/13/73.

[redacted] ELSUR CHECKS UPDATED AND NEGATIVE ON ELLSBERG, RUSSO,

[redacted]

END

JXS FBIHQ CLR

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, EEO
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

EX-117

REC-28 65-74060-4173

22 FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

NR 001 SJ CODE

4:33 PM URGENTL 2-14-73 ALL

TO ACTING DIRECTOR (65-74060)

FROM SAN JUAN (66-229) 1P

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION).

RE BUREAU TELETYPE FEBRUARY 13/1973.

THERE ARE NO ELSUR REFERENCES OF ANY KIND IN SAN JUAN ON ANY OF THE SUBJECTS NAMED IN BUREAU TELETYPE FEBRUARY 27, 1972, OR BUREAU TELETYPE JULY 12, 1972. INDICES SEARCHED BY SA [redacted]

END

WGM FBI HQ CLR FOR UR ONE AND HOLD EX-117

REC-28 65-74060-4172

FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR004 PH CODED

1:15 PM DGE URGENT 2/14/73

TO ACTING DIRECTOR (65-74060), ATTN: DONINTEL

FROM PHILADELPHIA (65-6346) 1PAGE

[redacted] MC LEK (NATIONALITIES INTELLIGENCE SECTION)

ESP

REBUTEL, 2/13/73.

REVIEW OF PHILADELPHIA ELECTRONIC INDICES FAILED TO SHOW THAT [redacted] WAS PRESENT AT OR A PARTICIPANT IN CONVERSATIONS OVERHEARD BY ANY ELECTRONIC SURVEILLANCE BY THE PHILADELPHIA OFFICE, OR WAS AN OWNER, LESSEE OR LICENSEE OF A PREMISE WHICH WAS SUBJECTED TO AN ELECTRONIC SURVEILLANCE BY PHILADELPHIA.

EX-117 REC-28 65 74060-4171

INDICIES SEARCHED BY SA [redacted]

[redacted]

22 FEB 21 1973

END

JXS FBIHQ CLR

6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR008 CG CODED

210PM URGENT 2/14/73 EOM

TO ACTING DIRECTOR (65-74060) (ATTN: DID)

FROM CHICAGO (65-5369) 1P

[redacted]

MC LEK NATIONALITIES INTELLIGENCE SECTION.

[redacted] REBUTEL, 2/13/73.

[redacted] UPDATED ELSUR CHECKS FOR [redacted] DANIEL ELLSBERG, [redacted] ANTHONY RUSSO,

AND [redacted] ALL NEGATIVE.

END

REC-28 65-74060-4170

DKS FBI WASHDC CLR

22 FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR006 NY CODE

140PM IMMEDIATE 02-14-73 GMD

TO ACTING DIRECTOR 65-74060

ATT DID

FROM NEW YORK 65-25641 1P

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION)

REBUTELS JULY TWELVE, SEVENTYTWO, AUGUST EIGHT, SEVENTYTWO AND FEBRUARY THIRTEEN, SEVENTYTHREE.

[redacted] UPDATED ELSUR CHECK MADE BY S[redacted] CONCERNING INDIVIDUALS NAMED IN REFERENCED NINETEEN SEVENTYTWO BUTELS NEGATIVE.

END

EX-117 REC-28 65-74060-4167

JXS FBIHQ CLR

22 FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

NR 004 N K CODE

300 PM URGENT 2-14-73 JB

TO ACTING DIRECTOR 65-74060

FROM NEWARK 65-6215 1P

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Miller
Mr. Mohr
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Klotz
Mrs. Neenan

[redacted]

MC LEK (NATIONALISTIC INTELLIGENCE SECTION).

REBUTELS 2/13/73 AND 7/12/72.

REVIEW OF NEWARK'S SPECIAL INDICES REVEAL NO ELSUR ON [redacted] WHO RESIDE OR HAVE RESIDED IN NEWARK OFFICE TERRITORY. NEWARK CONDUCTED NO ELECTRONIC SURVEILLANCE ON ANY PREMISES IN WHIC[redacted] OR [redacted] HAD A PROPRIETORY INTEREST.

LX-117 REC-28

IN ADDITION NEWARK FILES AND INDICES REVEAL NO INFORMATION THAT ANY ELSUR HAS BEEN SOLICTED BY THE BUREAU TO BE CONDUCTED BY ANY STATE OF LOCAL GOVERNMENT AGENCY OR PRIVATED PARTIES OR COMPANIES OR CONDUCTED BY SUCH AGENCY IN COOPERATION WITH OR IN CONJUNCTION WITH THE FBI, OR CONDUCTED BY SUCH ENTITIES WITHIN THE KNOWLEDGE OF THE FBI CONCERNING ABOVE INDIVIDUALS.

65-1060-4168

FEB 21 1973

END 6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Bazel
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR003 MI CODE

5:47PM URGENT 2/14/73 EMZ

TO: ACTING DIRECTOR (65-74060)

FROM: MILWAUKEE (66-950) 1 P

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION)

REBULET, 7/12/72; MITEL, 7/13/72; MITEL, 9/27/72; AND BUTEL, 2/13/73.

SEARCH OF MILWAUKEE ELSUR INDICES, INSTANT DATE, CONDUCTED BY S[redacted] WHICH RESULTED IN [redacted] REFERENCES LOCATED FOR COVERAGE OF [redacted]

[redacted] IN VIEW OF ABOVE, ALL QUESTIONS AS SET FORTH IN REBUTEL, 7/12/72, ARE NEGATIVE REGARDI[redacted] AND INFORMATION AS SET FORTH IN MITEL, 7/13/72, REMAINS UNCHANGED.

END

M

JRM FBIHQ

FOR ONE

CLR

6 FEB 26 1973

REC-28 65-74060-4167

22 FEB 21 1973

SPEC. MAIL RM.

ROUTE IN ENVELOPE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

NR003 MI CODE

5:54PM URGENT 2/14/73 EMZ

TO: ACTING DIRECTOR (65-74060)

FROM: MILWAUKEE (66-950) 1 P

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION)

REBULET, 7/12/72; MITEL, 7/13/72; MITEL, 9/27/72; AND BUTEL, 2/13/73.

SEARCH OF MILWAUKEE ELSUR INDICES, INSTANT DATE, CONDUCTED BY SA [redacted] WHICH RESULTED IN NO REFERENCES LOCATED FOR COVERAGE OF [redacted]

IN VIEW OF ABOVE, ALL QUESTIONS AS SET FORTH IN REBUTEL, 7/12/72, ARE NEGATIVE REGARDING [redacted] AND INFORMATION AS SET FORTH IN MITEL, 7/13/72, REMAINS UNCHANGED.

END

~~HOLD FOR THREE~~

REC-28 65-74060-4166

FEB 21 1973

4-117

FBI VDM WASH D C

~~HOLD~~

ROUTE IN ENVELOPE

6 FEB 26 1973

SPEC. MAIL RM.

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. [illegible]
Mr. Mintz
Mrs. Neenan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

NR003 NH CODE

4:55 PX URGENT 02/14/73 VEM

TO: ACTING DIRECTOR (65-74060)(ATTN:DID)

FROM: NEW HAVEN (65-2389) (SUB A) 1 PAGE

[redacted]

MCLEK (NIS)

=Wagoner

RE: BUTEL, 02/13/73.

ELSUR INDICES, NHO SEARCHED IN ACCORDANCE WITH RETEL BY CLERK [redacted] AND NEGATIVE.

END [redacted]

DKS FBI WASHDC CLR

REC-28 65-74060-4165

22 FEB 21 1973

ROUTE IN ENVELOPE

6 FEB 26 1973

SPEC. MAIL RM.

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Mr. [illegible]
Mr. [illegible]
Miss Neenan

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mints
Mrs. Neenan

X

NR 001 BA CODE

10:14 URGENT AM 2-14-73 MLM

TO ACTING DIRECTOR (65-74060)

FROM BALTIMORE (92-126-SUB E)

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION)

RE: BUREAU TELETYPE, FEBRUARY THIRTEEN NINETEEN SEVENTY THREE.

BUREAU TELS JULY TWELVE AND AUGUST EIGHT NINETEEN SEVENTY TWO.

NO CHANGE IN ELSUR COVERAGE AS REFERRED TO IN ALL REFERENCED TELETYPES. NONE OF THESE INDIVIDUALS EVER SUBJECTS OF ELSUR COVERAGE BY BALTIMORE DIVISION.

END

~~WHAT IS PRIORITY GA~~

~~URGENT~~

JXS FBIHQ CLR

REC-28 65-74060-4164

FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marsh
Mr. Miller
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR 001 BS CODE

10:30AM URGENT 2-14-73 DAD

TO: ACTING DIRECTOR 65-74060

LOS ANGELES

FROM: BOSTON 65-5236

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION).

RE BUREAU TEL FEBRUARY THIRTEEN SEVENTYTHREE.

UP TO DATE ELSUR CHECKS AS REQUESTED IN REFERENCED TELETYPE NEGATIVE IN BOSTON DIVISION.

END.

JXS FBIHQ CLR

REC-28 65-74060-4163

FEB 21 1973

EX-117

6 FEB 26 1973

SPEC. MAIL RM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 14 1973

TELETYPE

Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

NR001 LA CODE

911AM URGENT 2-14-73 DLW

TO ACTING DIRECTOR (65-74060)

ATTN: DID

FROM LOS ANGELES (105-27952) 1P

[redacted]

MC LEK (NATIONALITIES INTELLIGENCE SECTION)

REBUTEL FEBRUARY THIRTEEN LAST.

UPDATING OF PRIOR ELSUR CHECKS NEGATIVE ON ANY NEW CONTACTS BY INDIVIDUALS SET FORTH REFERENCED BUTEL.

END

DKS FBI WASHDC CLR

REC-28 65-74060-4162

22 FEB 21 1973

6 FEB 26 1973

SPEC. MAIL RM.

CODE TELETYPE URGENT

1 - Mr. J. R. Wagoner
2/13/73

TO: SACS, BALTIMORE
BOSTON
BUFFALO
CHARLOTTE
CHICAGO
LOS ANGELES
MILWAUKEE
NEWARK
NEW HAVEN
NEW YORK
PHILADELPHIA
SAN FRANCISCO
SAN JUAN
WFO

FROM: ACTING DIRECTOR, FBI (65-74060)

MC LEK (NATIONALITIES INTELLIGENCE SECTION).

REBUTELS, 7/12/72 AND 8/8/72.

DEPARTMENT HAS ADVISED U.S. DISTRICT COURT, LOS ANGELES, HAS AMENDED ITS ORIGINAL ORDER REQUIRING ELSUR INFORMATION REGARDING ATTORNEYS OF RECORD, THEIR AGENTS AND EMPLOYEES FOR DEFENDANTS DANIEL ELLSBERG AND ANTHONY JOSEPH RUSSO, JR., AS WELL AS ELLSBERG AND RUSSO. CURRENT ORDER REQUESTS UPDATING OF PRIOR ELSUR CHECKS. RECIPIENTS ARE REFERRED TO REFERENCED TELETYPES SETTING FORTH IDENTITIES AND ADDRESSES OF INDIVIDUALS INVOLVED, AS WELL AS INSTRUCTIONS CONCERNING THE FURNISHING OF POSITIVE INFORMATION. RECIPIENTS SHOULD UPDATE ELSUR CHECKS REGARDING THOSE INDIVIDUALS RESIDING IN OR WHO HAVE RESIDED IN RESPECTIVE TERRITORIES. IF CHECKS ARE NEGATIVE, SUTEL IMMEDIATELY.

EX-105

JRW:mlr
(3)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

REC-30 65 74060 4157

SEE NOTE PAGE TWO

FEB 13 1973
10:28 AM
TELETYPE

22 FEB 14 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

ROUTE IN ENVELOPE

6 FEB 20 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

TELETYPE TO SACS, BALTIMORE
ET AL
RE: MC LEK (NATIONALITIES INTELLIGENCE SECTION)
65-74060

IF POSITIVE INFORMATION AVAILABLE, SUTEL IMMEDIATELY APPROXIMATE NUMBER OF CONTACTS TO BE REPORTED AND APPROXIMATE NUMBER OF LOGS AND OTHER COMMUNICATIONS TO BE SENT BUREAU. DEADLINE FOR SUBMISSIONS OF LOGS, AIRTELS, MEMORANDA OR REPORTS COB 2/19/73.

NOTE:

Departmental Attorney John Martin, Internal Security Division, requested updating of elsur checks by telephone on 2/13/73.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 19 1972

Secret

TELETYPE

NR 018 LA CODE

549 PM NITEL 12-19-72 LRS

TO ACTING DIRECTOR (65-74060) ATTN: DID

FROM LOS ANGELES (105-27952) 2P

Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Dalbey
Mr. Cal[illegible]
Mr. Je[illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

[redacted]

MC LEK, SIO.

LATE AFTERNOON OF DECEMBER EIGHTEEN LAST DEFENSE FILED MOTION FOR DISCLOSURE AND HEARING ON GOVERNMENT'S ADMISSION DECEMBER FOURTEEN LAST RE THIRD OVERHEAR. DEFENSE REQUESTS GOVERNMENT ADVISE DEFENDANTS:

ONE. WHETHER ELSUR WAS IN FIELD OF FOREIGN INTELLIGENCE, DOMESTIC SECURITY OR SOME OTHER CATEGORY. IF THE LATTER, STATE PRECISE CATEGORY.

TWO. IF GOVERNMENT CLAIMS SPECIFIC STATUTORY OR REGULATORY AUTHORITY FOR ELSUR.

THREE. UPON WHOSE AUTHORITY ELSUR ORDER WAS ISSUED AND COPY OF ORDER TO BE PRODUCED.

REC-3 65-74060-4118

ST-115

FOUR. NUMBER AND DATES OF ELSUR.

3 DEC 21 1972

FIVE. WAS IT A DEFENSE LAWYER OR CONSULTANT OVERHEARD AND IDENTITY.

Classified by 6085C
Exempt from GDS, Categ[illegible]
Date of Declassification [illegible]

[redacted]

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY POUCH MAIL OR TELETYPE AS INDICATED BELOW

SHIP(S) OF [illegible] DATE 5/22/73

PAGE TWO

cc to AAG, ISD
John Martin
[illegible]

DEC 27 1972

SPEC. MAIL ROOM

Secret

SIX. DATES U. S. ATTORNEY IN THIS DISTRICT AND GOVERNMENT TRIAL COUNSEL WERE ADVISED OF OVERHEARING.

[redacted]

HEARINGS RESUME DECEMBER TWENTY NEXT AT WHICH TIME JUDGE BYRNE IS EXPECTED TO RULE ON ABOVE MOTION AS WELL AS THE DEFENSE MOTION FOR DISCLOSURE OF INFORMATION CONCERNING TELEPHONE TOLL RECORDS OBTAINED BY THE GOVERNMENT ON DEFENDANTS AND COUNSEL, DEFENSE MOTION FOR CHANGE OF VENUE TO THE EAST COAST AND DEFENSE MOTION CHALLENGING METHOD OF JURY SELECTION IN THE SOUTHERN DISTRICT OF CALIFORNIA.

END

PES FBI WASH CLR

FBI

Date: 11/8/72

...t the following in _____
(Type in plaintext or code)

to AIRTEL _____
(Priority)

TO : ACTING DIRECTOR, FBI (65-74060)

FROM : SAC, BOSTON (65-5236)

SUBJECT: MC LEK
SIO

Re Boston letter to Bureau dated 9/19/72 and Bulet to Boston dated 9/25/72.

Enclosed for the Bureau are 10 copies (5 copies each) of 2 separate LHM's and for Los Angeles, 2 copies (one each) of same LHMs which contain the comments of DANIEL ELLSBERG, based upon his appearance on the Paul Benzaquin TV Show, WNAC - TV, Channel 7, Boston, Mass. at 9:00 a.m. on 9/12/72 and his comments when he appeared on the Jerry Williams Radio Show, WBZ, Boston, Mass. on Monday evening 9/11/72 at 9:00 p.m.

On both shows, ELLSBERG appeared to promote his book "Papers on the War" and discussed his views relative to the war in Vietnam.

A copy of the LHM as well as the two tapes containing the comments are being maintained in the Boston Division.

EX-117

ENCLOSURE

REC-47 [illegible] 65-74060-4072

11-14-72

6 NOV 10 1972

ENCLOSURE ATTACHED

(2) - Bureau (Encs. 10) (RM)
1 - Los Angeles (105-27952) (Encs. 2) (RM)
2 - Boston
JGN/dn
(5)

1cc of each LHM to AAG, ISD 11/13/72

SPECIAL AGENT IN CHARGE

6 NOV 17 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—135

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Boston, Massachusetts

November 8, 1972

DANIEL ELLSBERG

Daniel Ellsberg appeared on the Paul Benzaquin TV Show, WNAC-TV, Channel 7, Boston, Massachusetts at 9:00 a.m. on September 12, 1972.

The following are the comments of Benzaquin and Ellsberg:

ENCLOSURE

100-[illegible] 4072

Announcer:

When you give the credentials of Dr. Daniel Ellsberg these days the first thing you say is he is a defendent in an on-going trial relative to having turned over the Pentagon Papers to the "New York Times" and miscellaneous other publications, but he also has credentials which go way back beyond that. I would guess the best term to use would be presidential adviser on the war in Vietnam, one who has experienced it from presence and from having been exposed under several presidents. And I would not want to be sitting where you're sitting right now because it would seem to me the only thought you could have at this point in time is the futility of what you did based on the fact that most American people have bought the package and now accept the situation in Vietnam as one which is carefully being wound down and is no longer costing us as much as it used to.

Ellsberg:

If that's true, I've gotten to be a little skeptical of what I read in the media, as I am skeptical of what I

hear about the American people from their elected leaders, or sort of thing. I have had the chance going around the country now a bit to hear the views of more people, I think there's a lot more concern about this war than the polls indicate and than the politicians believe, maybe even more than the Democrats believe.

Announcer:

Well is it possible that 70 percent of the American people could truly disapprove of the war and at the same time approve of the present Administration? Could the confusion be such that mostpeople now really believe that President Nixon has done the logical and thoughtful thing toward getting us out?

Ellsberg:

Well I'm certainly in a state of confusion as to what people think, when I read polls like that. At the same time I notice that the President is careful to present himself as a man of peace. It is an amazing image at this point for a man who has dropped more bombs than any other human in history. At the same time we have to ask how is it press conferences don't press him hard on this, how is it that media people can present this

to the American people without laughing or crying or something. I do feel that the American people are presented with this notion from many sources but it is obvious that evidence supports it, very spectacular visits to China and Russia and other things, that support that impression. I am sure that's a large part of the reason for the poll.

Announcer:

Part of the belief is based on something that you point out in the book, which is the American way, bombing and shelling when you get military help from us you get the bombing and the shelling whether you asked for it or not. We have always supported any military operation with our droppable might.

Ellsberg:

And it seems that when our President goes on peace missions anywhere in the world, whether to Russia or China or anywhere else, the Vietnamese get bombed, the next day, all the more. In fact

Announcer:

I thought it was an Agnew speech that turned them on.

Ellsberg:

The saddness of it seems to be that these measures, for which I think we'd all want to thank him I do thank him for these changes in policy and yet after a year has gone by we see that he has used them basically to buy freedom of action to expand and continue to the bombing of Indochina.

Announcer:

But how necessary is your prosecution in support of this belief? Why is it necessary to try and put you in prison?

Ellsberg:

That I do take in a way as a hopeful sign, in a certain sense, just as I can find it hopeful to discover

the Presidents have felt a need to lie to the American people about what they've been doing for so long. If they are to lie they must be able to keep secrets effectively, they must be able to frighten Government employees who know the facts of the estimates, the facts of what we are doing. Frightening them into keeping them from telling their neighbors, telling other people in the country that the President is misleading them for that you need prosecution. But I was just going to say the reason I can see that as hopeful is, I hope the President is right, that he does need to lie. It tells me that he feels that he worries that he would not get the support for this endless bombing, this endless war, if the American people saw clearly that it really wasn't going to end and that he really was going to keep it on. I think he's right, I hope he is right, that he wouldn't get that support. Of course, that gives me hope to try to continue to expose some of the truth.

Announcer:

Why don't you say something about Presidential temperment as you do in the book, which may make you his victim. You point out that a President, no matter who he is, gets there with a lot of lucky breaks and he knows that this sort of divine assistance is with him otherwise he wouldn't be in the White House. The present incumbant or any other involved in this whole affair since 1950 must have had some of that same feeling. Isn't it possible that having determined the course now and acted upon it that people such as you and the Berrigans can just be unfortunate tragedies of the only option. Couldn't that be a sincerely held position of the current President? I'm trying to find out whether it's necessary for him to be branded a liar in order to accept the information that was made available by you.

Ellsberg:

I think that the contradictions involved between the reality of what we are doing and how the President

describes it and frankly how the media report it, for example, do require the word lie, to do them truth.

Announcer:

Well that merely makes him the most recent of a succession of liars .

Ellsberg:

That's true.

Announcer:

Then the presidency is so geared that we must have liars, we must have the capacity to mislead built into it.

Ellsberg:

No I think I the system, certainly as envisioned in the Constitution doesn't require it. That envisioned that very imperfect men in the Executive branch would be confronted by equally imperfect men in a different

branch, who would challenge them, who would challenge the truth, by men in the press, also imperfect actually, but who would have the independence granted by the First Amendment to probe, to question, without by the way being branded traitors as they would have been under Queen Elizabeth, or under George III. And thus the public would be protected and given enough information to make their own choices in a political year by the interplay of these forces.

You talk about the President getting to his position by what must seem to him almost divine grace by a series of chances. In part that's because who can believe that he deserves the almost divine powers that the presidency confers on him once he gets there.

Announcer:

I must be right or I wouldn't be here.

Ellsberg:

I must be more than right, I must be almost more than human. I don't think this exaggerates feeling a president must have. The powers, sometimes I speek of them in terms of a monarchy, an unchecked executive, and realy what monarch of the past had the powers of a U. S. president. Powers even by the way of freedom of action, but a physical control over the lives of the rest of the world.

Announcer:

But now you were in a peculiar position to view this, you were a paid adviser, you're highly professional in your work, you went out to get information, how can you be sure you are not merely one person in disagreement with a lot of other people? What is the certainty that made you take the risk?

Ellsberg:

First, all my life really, I've found it possible and sometimes necessary to take risks without being certain. When I went to Vietnam for the State Department, I certainly was not certain of the justice of what we were

doing, but I felt there was enough basis there to cause me as a responsible person to support that effort. Of course I learned, I learned in a lot of painful experiences over there, I changed my mind to a different set of uncertainties and guesses. I don't think that people who assume that I must be certain are somehow telling themselves I don't have to act, I don't have to speak out, because I'm not certain, I'm not a fanatic like this Ellsberg must be or the Berrigans must be. It's not like that.

Announcer:

There was one option which you offered, which was not accepted and which has not even been made part of public discussion. I want to take some messages now and go to that option and see whether or not you had very much cettainly at the time you offered it. When President Nixon came to office there were certain outlines suggested to him on the basis of the available information. One of them was to disengage. Place no

evaluation on, what would it be, our political situation, in South Vietnam and that did not reach his desk.

Ellsberg:

It Actually it reached him before he came to office he was President-elect and he did see a first draft of the so-called options or alternative courses.

Announcer:

Are you satisfied that it was he who rejected the options?

Ellsberg:

I don't know for sure because the word came through Henry Kissinger. I do know that he did have it however, it's not a question of it being kept from him and clearly the decision was, at the least, Henry Kissinger's perception that the President just regarded this as not even worthy of discussion. And in course of action this is unilateral extracation. The sort of thing that the majority of the public has urged now in polls for

several years. They didn't even want that to leak out, that the President would even consider such a thing. Incidentally when you asked me earlier was I certain, less certain in most courses, in fact that wasn't what I recommended at that time, at that moment. We hadn't really started forming negotiations at that point, the Paris talks hadn't quite begun. I myself thought that we should push very hard for mutual withdrawal initially on both sides, not because that was more just necessarily than our just getting out, but because it had a number of advantages for us nationally I thought, in the terms of our saving face, avoiding human (inaudible), the kind of thing the president still talks about

Announcer:

Could you bring the Sargent Shriver thing into that, the allegation that he made about two and half weeks ago?

Ellsberg:

Basically, the obvious aspect of that is that in the first year of a new president there is of course the

opportunity to say quite honestly that the war had been made by his predecessors that it involved many mistakes and injustices, if he cared to be as honest to say that, and that it was time to end it. By letting it go on six months and then a year he almost inevitably made it his war.

Announcer:

Let's get into the quagmire that you talk about.

Ellsberg:

Let me retrospect, he didn't really go unknowingly into that quagmire, anymore than his predecessors. It's clear that President Nixon had no intention of really trying to end the war on the terms on which it could be ended and could still be ended when it is. From the beginning even before he came into office, he had a plan that basically involved extending and expanding the war throughout Indochina, re-introducing the bombing unless he won victory. That unless was in realistic terms a negligible possibility, so it was a plan for

continuing the war

Announcer:

You say in one part of the book that if you stand on the lee side of any place that has been bombed in Vietnam these days you can tell by material and the odors

Ellsberg:

No, no, no. You're quoting.

Announcer:

I'm quoting someone you quoted.

Ellsberg:

No, no, that's not in the book. You're quoting from a review, in fact I just read a book by Murray Kempton (ph) that said its a speech that I don't like to recall quoted just before he died by my close friend John Van (ph). And it quotes a very different frame of mind from when I knew Van. I think probably a very desperate frame of mind.

As he saw in the spring offensive the collapse of what he had worked for so long, what I had worked for with him when I was over there, trying to instill (ARVN) troops with a sense of nationalistic purpose with a cause that would give them a sense of dedication. He and I then I think did not face the reality that it's hard to inspire people for counter-revolution, it's hard to inspire people to work for foreigners.

Announcer:

What is your purpose now in making public appearances and in telling the story of these papers that were put together before you were indicted?

Ellsberg:

(Inaudible) to instill my faith that those polls that suggest support for the President, the perception of him as a man of peace, a candidate of peace, and the notion that the war is ending, reflects in large part that they still really haven't been forced to confront or had presented to them the realities of what's happening and discussion

of that, which I hope to contribute, can only help to give them, to make them more responsible voters and I hope will help them vote to end this war which does mean voting to dethrone Richard Nixon.

Announcer:

If we expect anything from our President, we expect consistency and that's what they try to give us.

Ellsberg:

I hope we acquire a president someday who is capable of learning from experience.

Announcer:

Well they do place a great deal of emphasis on consistency.

Ellsberg:

(Inaudible) on what we were hearing earlier about winning and consistency and winning I guess and being winners. You were describing (inaudible) as I was listening

to you introduce me and I was thinking, you introduced me as a defendent, I like to be introduced as an author these days but I rarely get that privilege, but it occurred to me that in the light of what we were hearing earlier, I could very well be introduced as a winner. What was my past background? Winning, winning, winning.

Announcer:

What do you mean by winning?

Ellsberg:

Where I got where I was in the Government I won from the first grade on and I was at the top of my class in high school and in college, and I knew and gave what the teachers wanted, I'm very good at passing tests, in fact not too many better, in fact. And in the Government I went in the top grade and so forth. To leave me, the fact is, if you ask why we are in so long, it's because I think the President in his role as teacher to the students of the nation can draw on so

many of the past attitudes about the necessity for winning. Don't be a loser. Don't be a failure. He is really able to manipulate those attitudes in such a way as to gain the complicity of this country in what I think most of them know, most of this country knows, that deep down they know this is a wrong enterprise and yet the fear of losing the fear of being humiliated can get their support, their complicity, even for that.

Announcer:

Do you believe we are trying to prove we're right with the knowledge we're wrong? Does it go that far?

Ellsberg:

I hate and I never have and I'm not going to in any great sense discuss my friend Van (ph) who died in this offensive but I do know one thing about him that made it possible for him to stay over there after I'd left and after he'd seen through a great deal of what we were doing. He was one of those, I'd been one of them earlier

really, who responded very directly to we cannot lose. We were wrong, I think he finally came to see we were wrong to be there, the mistakes, the misunderstandings, we had been mislead by our leaders to a large extent, but now we were there we cannot let ourselves fail and in the last month of his life he was confronted with the human cost of that policy, and I think he must have been in a very discouraged state of mind.

Announcer:

Our human costs up until 1968 were identifiable as American. The President has driven to stop that, the human costs are now identified as different kinds of people.

Ellsberg:

Other people were dying even then but we didn't notice them.

Announcer:

Sure. But I'm forced into the recognition that this country apparently does not care about the other kind of people.

Ellsberg:

I'm forced to consider that possibility. Realistically I can't rule it out, there's a lot of evidence for it, it will explain a lot of what's happened. I'm very relucant to accept that prematurely or unnecessarily, I'm fightin against that frankly. The facts at the end will teach me if I'm wrong. But as it is now

Announcer:

Explain for me please the public reaction to those photographs we saw of that little naked girl nine years old running away from an inadvertent attack.

Ellsberg:

I think the reaction was very heavy. I think the it got through to people's consciences in a way that statistics can't. I think that it raised a great deal of discussion and anguish and indignation. I think I think I heard it from people calling in to television shows, people talking to me. To be sure the Administration did what it could within days to counteract that by

showing this little girl being taken care of. It's a macabre juxtaposition to say don't worry about the napalm we have dropped on her we are giving her excellent medical care. It's an insult, I still want to think, an insult and a slander to the American people to think that the memory of that girl can be entirely wiped out by what American medical science is now doing for her.

Announcer:

Stephen wants to ask you a question. Good morning Stephen, you are in touch with Dr. Ellsberg.

Stephen:

I'd like to say good morning Dr. Ellsberg and I'd like to ask you if ah as to what turn you think the war in Southeast Asia might take if President Nixon is re-elected, and if he is re-elected if the continuation or escalation of his present policies might foster perhaps a violent revolution when the people have had enough of this, his facist policy.

Announcer:

That's quite a policy you're asking for Stephen, but let's see what we can do. Thank you very much. I'll give you a couple of minutes to think about that and I think I can also give you some of the words you may have missed and we'll do that during these messages.

Announcer:

Dr. Ellsberg that's a long prophesy that the gentleman wants you to make. (inaudible)

Ellsberg:

I'm surprised that I haven't heard President Nixon asked directly what is your plan now for ending the war. The truth is that if he is re-elected as so many people expect, as of now, this would have happened without his having made any promise whatever in this campaign ever to end the war. On the contrary, what we have heard about conditions, about if there are POW's left or if Saigon can't persist on its own, we won't ever turn our back on our allies and so forth that all translate as foreverness

or at least the possibility of an indefinite involvement. No one has really asked him in the last few years what was his secret plan to end the war. I think they don't believe he had one. (Both speaking) He could have one.

Announcer:

Assumption is that the secret plan was to wind down, to withdraw all the men.

Ellsberg:

(Inaudible). There was a plan, it was secret. He did carry it out. It was what we have seen to reduce the American forces as he has done to a residual level not to zero and to protect them by threats and if necessary the carrying out of those threats of bombing, of mining, of restoring the bombing of North Vietnam, and expanding the war into Cambodia and Laos. All of this he has done. All of this has failed. I believe he has no new plan, certainly he's not revealing any to us so that gives me the answer to the question. I believe he

is determined as ever after four years of what everyone must now see as Nixon's war, the Cambodian-Laotian parts are entirely Nixon's war, the rest a continuation, he will continue that, he is not going turn his back on, he says, his allies, and I'll say his policies. He is not going to repudiate it and that means four to five million more tons of bombs. You know there was a very moving column this morning I just read here in the studio by Martin Nolan (ph) in this morning's "Globe". Have you seen that yet?

Announcer:

No I haven't seen that yet.

Ellsberg:

Very beautiful. He says in tones of awe at one point though how do you come to terms with the fact that we have dropped as many bombs on Indochina alone as in all of World War II and Korea combined. Now there is just one thing wrong with that statistic, the spirit is right, but we dropped that many bombs under Nixon's administration

alone and that was as of last February, and we've dropped almost as many as the Korean War since that time during this year. Johnson too had dropped that many bombs. So what it comes down to is a figure of almost seven million tons of bombs, three times as many as World War II plus Korea. That's the figure that I have the feeling the American people haven't had to face because

Announcer:

(Both speaking inaudible) make meanful, where they fall, how big ...

Ellsberg:

It has to be translated into pictures finally of which you can probably think of one and perhaps no more, images of victims, of that little girl we've been talking about. That was one napalm bomb that dropped on her accidentally. What about the people it doesn't drop on accidentally, they also die, they also burn.

Announcer:

Is there any (inaudible) in either North or South Vietnam who are indifferent to this situation except as it displaces them?

Ellsberg:

No, I know you don't mean by that what some of our leaders have told us, that Asians are indifferant to dying, to seeing their children burned before their eyes and indifferent to living in tunnels and to seeing their sons go off to die and to kill.

Announcer:

Well, I mean indifference to the political situation, non-partisan people

Ellsberg:

I think that ah I don't think that many of them are truly fully indifferent but I do think there are differences between which authoritarian faction governs

them and that's really all the choices they have. I don't think their differences in that respect in any way compare with their feeling about this war and their desire to see it end. To put that in perspective I think there are only a minority of people under the NLF side, even though they respect that leadership, they see them as patriots, as dedicated people, revolutionaries and patriots, I think they would be glad to be ruled even by our puppets in Saigon if the war were truly going to end that way, but it won't end that way. Conversely, I have no doubt at all that the great majority of people would rather be ruled by the resistance forces, the liberation forces, Communist or not, authoritarian or not, religious or not, to see that war over.

Announcer:

Is the underlying factor of all this quagmire still our philosophical resistance to any kind of accommodation of Communism? Is the anti-Communist idea still in your mind the compelling force to make us finish this in a

way of honor?

Ellsberg:

I think the reaction to President Nixon's experiment of renewing ties with China, relations with China, and increasing them with Russia, shows very clearly the depth of anti-Communism in this country doesn't in itself compel us. I think we come back to that simple abstract case of winning and losing, not a question of who the enemy is. What President Nixon is drawing on now I am sure is the question of humiliation, of defeat, of all those memories that started in kindergarten. You don't want to be in that slow track do you? You want to be number one. We're a middle-class nation. We're all number one now, he says, but we might if once start losing we start that tradition of losing, you can't lose once, that's what teachers tell you. The thing is you know in a democracy in theory, people are supposed to be able to grade the teacher, fire him, in a way you can't do in the first grade. (Inaudible) When the teacher, when the President in his role of teacher, and he will

have that inevitably, when he controls all the information as thoroughly as a kindergarten teacher controls what his or what her students see in that classroom then democracy begins to be something else.

Announcer:

We have to leave it there Dr. Ellsberg. Thank you. This afternoon on WEEI the ten most commonly asked questions of the Sex Information Center and tomorrow we do a full hour on your eyes and how to maintain them. Now good morning New England. Keep the day in shape.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Boston, Massachusetts

In Reply, Please Refer to File No.

November 8, 1972

DANIEL ELLSBERG

Daniel Ellsberg appeared on the Jerry Williams Radio Show, WBZ - Boston, Massachusetts on Monday, September 11, 1972 at 9:00 p.m.

The following are the comments of Williams and Ellsberg and the people who called in to the program:

ENCLOSURE

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Announcer:

Hello America. This is Jerry Williams. Welcome aboard. I'll be with you until midnight for a portion of that program of this...that time. We're going to be talking to Daniel Ellsberg who, of course, as you know resides in Cambridge and was a principal in the story of the Pentagon Papers to give you some background about Mr. Ellsberg who is here with us tonight and we will invite your calls and comments at 254-5678. He was born in Chicago, grew up in Detroit, educated at Harvard College and Cambridge University. He served as an infantry officer in the Marine Corps. For those of you who want to take on his loyalty at this particular moment, Mr. Ellsberg became a member of the Society of Fellows at Harvard and later received a Ph.D. in economics. And then from 1969 to 1964 he was a strategic analyst at the Rand Corporation and a consultant of the Department of Defense which he joined in 1964 as a special assistant to John P. McNaughton (phonetic). In 65 he went to Vietnam for the State Department as a member of the team of Major General Edward G. Lansdale. He then returned to the Rand Corporation in 1967. Mr. Ellsberg worked on Secretary McNamara's study of U.S. decision making in Vietnam, now known as the Pentagon Papers. And since April, '70 he has been a research.... senior research associate in the Center for International

Studies at MIT. I said he lives in Cambridge with his wife and there's a paperback out that you might be interested in called Papers on the War, published by Shy, Simon, and Shuster, which gives you some indication of Mr. Ellsberg's positions on the war, an interesting essay called the Quagmire Myth and the Stalemate Machine and one I was particularly interested in which concludes the book called the Responsibility of Officials in a Criminal War. Most of these have been delivered either by paper or by speech in lectures around the country and Mr. Ellsberg is here. It's nice to have you here.

Ellsberg:

Thank you.

Announcer:

What is your status anyway? I think a little... some people might be confused because the status of the trial was relegated even in the New York Times to back pages so you can imagine where it was in our.... in local papers.

Ellsberg:

Well, my status is defendant. I should add to that long introduction I guess that my contract with MIT terminated on June 30th so I'm no longer employed there, or anywhere for that matter, except in the courtroom and as an author. This trial is recessed until the Supreme Court comes back from vacation and rules on a motion having to do with a warrantless wire-tap of one of our attorneys or consultants. They may or may not decide to take the case; if they don't, the trial will begin in mid-October and if they do the trial would probably not begin again until the spring.

Announcer:

For the benefit of those who don't follow the trial, what are the charges at this point? What are the indictments?

Ellsberg:

Pretty complicated indictment, it's a fifteen point indictment, three statutes are involved. The violation of the espionage statute, the charges in that case is not espionage, its the first time the espionage statute has ever been used in a prosecution without charging espionage. Conversion which sometimes translates as theft in this case would translate to, hitting them a little better, as misuse of government property and conspiracy is the third statute. Conspiracy basically to do these other violate these other statutes.

Announcer:

And the status of the trial is that it's in limbo at the moment?

Ellsberg:

We've gone through virtually all of the pre-trial motions and procedures, the jury was selected. At this

point the judge has kept the jury, to see whether the trial will begin in October. So, it's the first time actually a trial has ever been suspended like this.

Announcer:

And suspended because of alleged wire-tapping by the Government?

Ellsberg:

Well it's not alleged wire-tapping, the reason this is the first trial ever to be suspended in this fashion, a jury having been picked, is that it's the first time that at the onset of a criminal trial, the defendents have been informed by court order by the prosecution that there has been a wire-tap of one of the counsel or of one of the few consultants to counsel. But we have not been told which one or the contents of the wire-tap. We have no way of knowing the relevance of it. Past court decisions, Supreme Court decisions, have indicated

that we have a right to know who was wire-tapped and to participate in deciding whether the contents were relevant or not.

Announcer:

Justice Douglas said what?

Ellsberg:

Justice Douglas took the position that, as, I understand it, that in his opinion we had this right but this was something the court should rule on as a whole and his decision was to stay the trial to allow the court to consider whether it will (Inaudible, both speaking)

Announcer:

How long will the trial be stayed?

Ellsberg:

Well, the Supreme Court is on vacation now, they come back early in October.

Announcer:

Will they take it up as the first order of business?

Ellsberg:

We really don't know that.

Announcer:

So it could be two months, three months?

Ellsberg:

Yes. The earliest it could be would be mid-October for the trial to resume but it could be much later. But the whole process could go on until next summer really.

Announcer:

Is it cricket or ethical for you to be appearing on radio/television programs as you are to talk about these things?

Ellsberg:

Well, yes, legally speaking there is no restriction on my speaking about the trial. I'm not appearing here for the purpose of doing that.

Announcer:

I understand.

Ellsberg:

For background I, for reader/listener curiousity or whatever I don't mind laying out these bare facts but I'm not going around really to discuss my trial in public. I feel no need to do that. We have enough other things to discuss.

Announcer:

Hmmm. I thought perhaps the Government would object to it feeling you're trying to propagandize or ...

Ellsberg:

Oh they claim that and really I have to admit that in some interviews I find myself quite frustrated because it's impossible to get the interviewer off the subject really I can almost sympathize.

(Both speaking inaudible)

Announcer:

Off the subject of the papers (Both speaking)

Ellsberg:

I don't sympathize with the prosecutor very often it so happens, but I can sympathize sometimes with his thinking in that I want to talk about the trial and he hears some of these programs. He hears them all because they are monitored by the FBI and again by court order I seem to get a transcript of them which is some benefit as a texpayer, so if I may give a little message to the prosecutor through the FBI, I will be happy if we don't spend the hour discussing the trial.

Announcer:

Yes, actually I'm not interested in what's about to happen, I'm more interested in your views on the war but it all seems to be inter-related somehow.

Ellsberg:

It is indeed because the trial really does involve great issues of the secrecy system and what the future of that should be. I don't mind at all, by the way, discussing those larger issues as opposed to the specific facts of this case and I think they are very important and they're closely related to the persistence of this war. I think that the unlimited power of the Executive Branch to keep secrets from the American public has been a major factor in the prolongation of this war for a quarter of a century.

Announcer:

Somebody just said before we went on the air "Isn't Ellsberg yesterday's news?" And I'd like you to answer

that, in a moment, the fact that major events happen in such rapidity, we have the Olympic tragedy, we have preceding that tragedy the airport in Israel, we have one event piling up on another, so that people might look upon you in sort of a, as one looks upon anything that happens on the media as yesterday's event, that nobody is interested in you because it was such a big splash for several weeks, months, and all of a sudden nobody is really interested, that's what I'm trying to find out.

Ellsberg:

If I can add one thing to the list of subjects, I'd be glad not to spend time, anymore time, not on this program but others, on it's me as a news event or details of my life particularly.

Announcer:

No. I'm trying to find out if people are interested in you any longer, whether they were interested initially but that American people tire of things so easily that they

move on to the next event, the next event, and the next event. And for instance, here we are talking about the Watergate Affair, which evidentally is a major affair. Years ago Sherman Adams (ph) was tossed out of the White House for merely a (inaudible) I mean that was just a (inaudible)

Ellsberg:

Standards change. About the time that that was happening the United States of America was condemning the French for a so-called reprisal raid against the Tunisian village, the village of Sokiyat (ph) which the French undertook allegedly an unauthorized raid by subordinate officers but which we suspected was really authorized at higher levels to punish the Tunisians for allowing their borders to be crossed by Algerian rebels who were fighting the French. We took the position that there was no such concept in international law of reprisal, we were correct. By all concepts of international law the law was on our side on that. But as you say times

change. We just saw Ambassador Bush exercise the second veto in the history of the United States for the purpose really of preventing Israel from being condemned from major so-called reprisal raids, which by the way Bush went out of his way to identify as a reprisal raid, he said cause and effect. The Israeli's were being somewhat coy about whether it was related the Munich affair. But we showed no such hesitation in linking the two and implying we could not be party to any international condemnation of the Israeli's for that, which didn't link the two. You see a good deal has been changed. We could hardly have participated in condemning the Israeli's for that since in the last seven years we've dropped four million tons of bombs on Vietnam.

Announcer:

I'm trying to say if people get tired so easily from major events happening on television, on communications, what impact does Daniel Ellsberg have any longer on human beings making up their minds or is the fact that everybody has truly made up their minds already on the war and

are so rigid in their position that nobody will budge? I'm going to break for a moment, and we'll return to Daniel Ellsberg. If you'd like to read more of what he thinks his new paperback is called "Papers on the War". This is Jerry Williams, we'll return in a moment.

Ellsberg:

(Inaudible) that test of what constitutes news, the question could be asked is there any news? Not just am I news but do things happen that change people's minds and move them to act in new ways?

Announcer:

Major news events, tragedies do. The major news event of the Olympic tragedy, echoed around the world, we felt that, but that was a major event. It doesn't even seem like sub-major or minor events of consequence have any impact on people.

Ellsberg:

Although you'll notice, and I'm not, I've obviously shared as I've watched on television the events of that day the

revulsion against the threats to the lives of the athletes and then the taking of their lives but I wonder whether the following event of the Israeli raids which we read now in the "New York Times" may well have taken the hundred or so casualties that the Arabs claimed, constitutes a major event? I suppose it would be hard to say it could after all it's reproduced every hour in Indochina by us. So how could it be? And yet there is something ironic

Announcer:

There were some people talking about that, I heard people around talking, at least the people against the war tried to moralize about the fact that this wasn't so terrible we do that everyday and in Vietnam, and people prone not to accept that sort of analogy. That's no good. Don't hit me with that let's talk about this event separately. It has nothing to do with Vietnam which is a war and war is war.

Ellsberg:

What most struck me, of course both the Palestinians and the Arabs and the Israeli's I mean think of themselves as being in a war with some justice, I guess, but I don't know. What struck me most about the episodes of this week and I've thought about them as much as everyone else has, is how similar the attitudes of the various authorities, especially involved or how similar really to the attitudes of the Palestinian guerrillas. In each case the lives of innocent people, starting with the Israeli athletes seem to be hostages whose state is rather lightly regarded by everyone concerned, in relation to larger political purposes and future events in the eyes of these authorities. I really felt that the West German authorities from all we heard about their determination not to let the so-called terrorists leave the country had an attitude not dissimilar from that of the Palestinians in this case, they had certain objects they wanted to achieve. In this case, they were going to teach these guys a lesson, I think, we're going to deter future events. We're going to wipe this thing off our record, too bad about the hostages.

If that seems very harsh judgment, let me say that with all the talk of sharpshooters we heard I think I saw enough of sharpshooting in the Marine Corps to know that that's a fairly absurd word to use about people firing weapons at night, in darkness, and by the same token there really wasn't much investigation about who those bombs were falling on in Lebanon and Syria, the people on the ground that we heard about in the "New York Times" now, which included obviously many women and children and others. The attitudes again seem similar to that of our practice of hunting guerrillas as we can read in "Time" this week, very vividly described. Hunting guerrillas in the Mekong Delta amidst the most densely populated province in the Delta, Dentung (ph), hunting with B-52's from 30,000 feet, night and day. Filling the hospitals with people who amount to our hostages, we are in effect killing hostages, every hour of the day and night, but the other side fails to give into our demands. I don't really see the difference between that kind of attitude and the attitude of the Palestinians or the West

Germans.

Announcer:

Back to Vietnam solely for a moment, how do you (inaudible) to the arguments President Nixon levies on our staying there. Number 1 we are not going to give up to the Communist demand that they take over the Government in the South, that of course grabs a great many Americans that the "Communists" quote unquote of the North are going to take over that government in the South and after all they invaded the South, South Vietnam. That's why we're there helping our friends.

Ellsberg:

That description of the negotiating demands or proposals of the other side, we have heard only from President Nixon. It is denied as a characterization of their demands repeatedly by Madame Vien (ph) of the NLF and by the Hanoi authorities and the Nixon, President Nixon, meanwhile has refused to reveal the contents, in

any kind of detail, of the secret negotiations which were carried out, even though he did the more-or-less unprecedented act of unilateral (inaudible). So we are left then with that, really giving the President the benefit of the doubt as to whether he is giving us a correct interpretation of their demands. I don't think any President has earned much benefit of the doubt for the last 25 years in their descriptions of what's going on in Indochina.

Announcer:

Well we have that as one argument. I think that argument grabs most Americans who back the President's position. The second one is the business of honor, and the prisoners of war; and the third and final argument is the staining of our integrity or something of that nature.

Ellsberg:

I think the most important thing to say about those points which have been recently summarized for us by the

President, several times, is that the arguments for staying in Vietnam forever and bombing Indochinese forever. Do you notice that so far

Announcer:

Nobody believes that. Even I have a tendency not to want to believe that, this President wants not to do that and for what reason, for what Godly reason, would he want to do that.

Ellsberg:

Having just said that we shouldn't give presidents the benefit of the doubt about certain things, let me reverse that in a certain way, especially with respect to this one and say President Nixon has earned the right to be taken very seriously when he tells us what he will do or will not do in certain ways, at least since he has been President, and after his campaign of 1968 he has really told us repeatedly in the last several years that he would escalate the war if resistance to our presence continued, if the lives of our remaining forces there were

endangered. He has told us he would not take all troops out unless certain conditions were met which anyone could recognize would not be met. He has really told us that we would be here in 1972 with sizeable troops left and we would be bombing. People didn't want to believe him but really it would be hard to look back over his speeches and say that he directly lied when he did that. I think that when he says now that when he fails to say rather that he has a plan for ending the war that that omission should be taken rather seriously. If he is elected as most people expect, at this moment, let me predict that it will be, as it would be if it happened tomorrow, without his having promised the American electorate that he would ever end the war. He has said he was seeking an end to the war but as you say he has described a whole series of conditions that would have to be met. We must not be humiliated; we must not give up on, turn our backs on, our loyal South Vietnamese allies; we will keep troops there so long as there are POW's there. The clear implication is that that could be forever. That these are all

prescriptions for foreverness. The fact is that he hasn't even been asked if he has a plan for ending the war and I doubt if he will be pressed on that throughout this election campaign.

Announcer:

Nobody can get to him.

Ellsberg:

That's right. You notice that there was a press conference recently but you notice that that question wasn't asked. Another one that could have been asked, of some interest I think, is "Mr. President, what was your secret plan in '68 to end the war?" and second "Why did it fail, why do you believe it failed?" leading up to that third question "What is your plan now? Do you have one now?" I'm waiting for that to be asked and I haven't heard it.

Announcer:

We'll break for just a moment again, Daniel Ellsberg is here. He is waiting between trials of course, his

trial will begin again sometime in the fall. His new paperback is called "Papers on the War", which gives a further indication of what his positions are on Vietnam and the whys and wherefors of his position. This is Jerry Williams on the Spirit of New England, WBZ, Boston, Group W Westinghouse Broadcasting.

Daniel Ellsberg is with us, Pentagon Papers that's the only identification that is really needed. My contention is however, we are talking about whether or not Daniel Ellsberg has impact on the news anymore, whether he can change people's mind on the war, whether you can cry out about the bombing, my contention is this, in this presidential election, nobody who is for the President's position on the war, nobody will vote for President Nixon ah nobody who is for President's position on the war will vote for George Mc Govern and nobody anti-war will vote for President Nixon and that the other issues obliterate any other meaning in this election. Again think about this as abstractly as you possibly can. Is

there anybody you know who thinks the President's position on the war is the proper one, who will vote for George Mc Govern?

Ellsberg:

I don't think it breaks down quite like that.

Announcer:

But isn't that the dividing line?

Ellsberg:

I think, I don't really think it is because I think the President has succeeded in preserving a kind of ambiguity about what his position really is on the war. But he will enable a number of people with different views on the war really to vote for him and each feel he is consistent with what President Nixon's position is. For example, as I mention in the book, I think that someone in the White House, perhaps Nixon himself, made a discovery or decided to test a theory early in 1969, and that was after Lyndon Johnson credibility gap could work for the President, that if you wanted to mislead the public about what he was going to do, he no longer

had to lie. He could tell the truth and the public would disbelieve him if they chose to, they believed what they wanted to believe especially if they were helped along by backgrounders, by advisors with German accents or without German accents, suggesting that the President was only kidding. And even those advisors didn't have to lie directly they could do it with a wink practically. That relates directly to what I was saying earlier that I think the President right along has stated conditions for escalating the war, stated conditions for staying on and yet we have people having somehow heard those who believe those, you don't have to believe a President anymore and that was very convenient for him because he prefers that the public not believe that he was really staying, until the troop level got down so low that they discovered they could live perhaps with a continued troop presence if the American casualties were low enough.

Announcer:

Take George Meany for instance. I think George Meany does represent a great many people (inaudible) in

the labor movement.

Ellsberg:

Mm, hm

Announcer:

People who are veterans of World War II, some veterans of Korea, but not too many, who believe that George Meany had no hang-ups with Mc Govern on his labor problems but his big hang-up with Mc Govern was on the war. And on his Face the Nation interview a week ago, as much as I yelled at the television set, nobody asked Meany his position on the war until late in the program when he attacked George Mc Govern on being in effect an unpatriotic and a sympathizer to the Communist cause, a sell-out. So it's my indication again that the war separates Meany and his constituents from Mc Govern nothing else.

Ellsberg:

I think that's true of Meany but I think Meany is a special case (inaudible) what I mean. I believe, I felt

with very high confidence since mid-'69 that President Nixon did come into office with a plan. I think the reason he is not asked about that now, is again that people assume he was only kidding, he said that but he was a presidential candidate and who can't really believe what they say but I think that was wrong he did have a plan. It really was secret and he really did carry it out. It really did fail. The plan was what we have seen. The series of escalations, the Cambodian-Laotian invasions, I don't think by the way they were planned in detail, but as contingencies that would make creditable the threats that he did plan in detail and those were threats to mine Haiphong, unrestricted bombing against North Vietnam, if a residual U.S. force in Vietnam should be endangered by continued resistance. This plan was almost sure to fail, it did fail. The question arises, supposing he had spelled that plan out, let's just imagine that I am correct, in saying I believe he foresaw all these events as possibilities if his threats failed to work. Supposing

he spelled that out for the public and said I'm not with any guarantee getting out of Vietnam or ending our involvement, I am going to reduce the American presence, I'm going to make certain threats and I hope or I even have confidence that they will work. If they don't, in detering resistance, if they don't I'll carry them out, all that I promise you is that American casualties will be reduced although the rate of Indochinese casualties may continue as before because we may be forced to bomb at the rates of World War II, perhaps indefinitely. Supposing he spelled that out, some people might have accepted that very well even in '68, or in '69 after he was President. George Meany I suppose would be one of those. He would have accepted it then as he accepts it now. I have a feeling that that makes him a little special. At any rate I don't think the President ever wanted to check how many George Meany's there were in the population, whether they constituted an overwhelming majority or not.

Announcer:

(Inaudible) in all those planning stages of the war

Ellsberg:

No not all of them.

Announcer:

Well a good many of them. You knew, you know much of the planning from people who were contingencies that are outlined in the Pentagon Papers that we've read. What ... I've read Rostow's views on the war and it's a bit confusing to read him because it's so related with everything from Vietnam to Australia that it's very tough

Ellsberg:

It's a direct line from Vietnam to Australia

Announcer:

I understand.

Ellsberg:

Yes, if Vietnam went, Australia tomorrow.

Announcer:

Well, but I think Rostow is important for me to understand what is going on in Mr. Johnson's mind. Or am I mistaken about that?

Ellsberg:

No, I don't really think Mr. Johnson's mind is very determined by Walt Rostow's book.

Announcer:

Well what... Let me ask you this. In brief, what was Mr. Johnson's reasons for his position on the war.

Ellsberg:

Well I think and I have to start tentatively that way, the Pentagon Papers raise that question as does

our newspaper reading in the past seven years, but it doesn't answer them. It does however put his actions and his policy into prospective with those of his predessors and I would say of his successor, Richard Nixon, and my best understanding from studying the Pentagon Papers and from other experience in the Government, is that all of these five presidents, have basically been motivated by a determination not to be as Johnson often put it the first president to lose a war, not to face the charge of the sort that Richard Nixon had charged Harry Truman with of losing China. I think Johnson like Kennedy, like Harry Truman and for that matter like Eisenhower, was determined if he could avoid it not to face the charge of losing Indochina, as the Democrats are believed to have lost China. I think Richard Nixon even though he now found China to everyone's surprise still has the same determination.

Announcer:

Those strategic reasons for this and war politics as

far as you're concerned in terms of the President's thinking there is no standing forth at this line to say to the North Vietnamese that's all because so goes North Vietnam so goes Laos, Thailand, Cambodia, that there is a strategic reason for all of this rather than this business of vanity?

Ellsberg:

If one looks at the most convincing analyses or estimates in the Pentagon Papers and those happen to be on the whole by civilian intelligence analysts both in the State Department and in CIA, you do not find confirmation for the views the various presidents have expressed that if Vietnam comes under Communist domination, the domination of Vietnamese Communists that states beyond Laos or Cambodia would inevitably be affected would quickly be affected or would irreparably be affected. On the other hand, this is the domino theory essentially, that like a row of dominoes all of Southeast Asia perhaps

later Asia would topple, perhaps the Middle East, would topple in some extreme formulations of this. On the other hand, all of those analysts of course can imagine circumstances under which our hopes, our intentions, our power quote policies for other parts of the world might be influenced, might be challenged, risks might occur.

Announcer:

(Inaudible) wrong people, the Bundy's, the Rostows, the Mc Namara's, now into this administration, is the President, is this President, is he really the foreign policy or does Mr. Kissinger believe along with him?

Ellsberg:

I think they believe, I think they believe that there would likely be somewhere in the world consequences we would prefer not to have to face if the Communists took over after such a long effort of ours to suppress their attempts at independence in Vietnam. That the question that that poses immediately is does any bad consequence

for us or consequence that we do not desire justify on the other hand anyunlimited degree of violence in Vietnam in order to prevent that consequence? What does

Announcer:

As long as it's acceptable to the American people.

Ellsberg:

Well from what perspective are you assuming?

Announcer:

From no perspective. I'm not talking about morality at all. I'm talking about merely the (both speaking)

Ellsberg:

When I use the word

Announcer:

acceptability. (both speaking)

Ellsberg:

When I use the word

Announcer:

Will the American people accept what is going on in Vietnam and obviously they will.

Ellsberg:

What remains I think somewhat to be seen is how far a policy can really be said to have been pursued with the consent of the American people. The test there must depend on how much you think the people knew. It was relevant to their political choices in elections. What we know now we suspected before and we know now after the Pentagon Papers have been available the public was deliberately and massively lied to. Deceived as to the intentions (inaudible), as to what it was we actually were doing, not by one administration but by a series of administrations. Their memories. The memories of the public by this time are as false , as falsified, as mythical, as the current intelligence that's given out by the administration publicly so that our interpretation of current events like this spring offensive in Vietnam is seen through very distorted lenses based on twenty years of false history. (Inaudible, both speaking)

Announcer:

We received one telephone call. We have a pretty good idea what the public is thinking about in terms of news

events but not one call on Lavelle (ph). Not one call on General Lavelle and all that bombing up there and I don't suspect we'll get any even though some people are going to testify at a public hearing that there was massive cover up by other junior officers and enlisted men about the bombing in North Vietnam.

Ellsberg:

I'd like to say I have been in on some call-in shows recently across the country where I did hear calls about Lavelle. I'm glad to tell you

Announcer:

I'm talking about spontaneously without your being the censure of the discussion but rather tonight if you were not here we probably would get some calls about the Olympics, I would think, as the apex of people's thoughts.

Ellsberg:

It is.

Announcer:

Lavelle. We never got any calls even though it was happening at that moment. At that moment in time. That's why I'm saying that obviously the people are accepting the level of bombing, the level of pulling out of Vietnam, and begin to attack the messenger, Mr. Ellsberg, or Ramsey

Clark for bringing in the bad news.

Ellsberg:

Let me ask you. Supposing you were a listener rather than the interviewer here and were attempting to call in about Lavelle, what aspect of that would you (inaudible, both speaking)

Announcer:

(Inaudible) utter ridiculousness of the whole situation and the lies involved. The lies would disturb me.

Ellsberg:

What do you see as the lies in that situation?

Announcer:

Well, the whole business of (inaudible), protective reaction, those terms which led the American public to believe somehow that we only did that when were attacked cause reaction speaks through having been attacked first. We react to that. All those terms are by the (inaudible).

Ellsberg:

By the way, you notice how in some cases here the linkage between lies and then later misunderstandings is very close. This spring we witnessed a so-called invasion on an offensive by the North Vietnamese which was seen as

very aggressive, seen by most people even anti-war people.

Announcer:

Was it an invasion?

Ellsberg:

There's a lot of things wrong with that interpretation. But the one I was going to mention was, supposing the American people had known at that moment what we now know some months later that at the time the secret negotiations which were going on in the fall were broken off, it appears to have been because of these bombing attacks on the North against both our understanding was with the North Vietnamese and what the American people were being told and this led to the breaking off of the negotiations at that time months before that offensive. You would think that would have changed people's interpretation of (inaudible, both speaking)

Announcer:

Perhaps the anti-war forces are tired, there are no more massive demonstrations (inaudible, both speaking)

Ellsberg:

No, no, I'm considering judging the reaction of the public but once again that reaction was an ignorant one where they have been kept in ignorance by deliverate lies

by the administration.

Announcer:

Let me break again for a moment. Daniel Ellsberg is here. His new paperback is called "Papers on the War" and has to do with a good deal of what we are talking about tonight so join us a little later for calls and comments at 254-5678 here on WBZ.

Let's now return to Daniel Ellsberg. His new paperback you'll want to read is called "Papers on the War". Not as massive in terms of what you have to get into in terms of the papers.

Elisberg:

Very short.

Announcer:

It is short and again as I indicate I was particularly interested in the business of the responsibilities of officials in a criminal war which part of a lecture which delivered here in Boston on May 23, 1971. It makes some analogies to Hitler. I think people are going to be upset with those analogies about the time. The times are somewhat like....Here in the beginning of that chapter you indicate by quotations from Albert Steer (ph) and (inaudible) that these are times somewhat like pre-Hitler times. Not

pre-Hitler but pre-World War II and (inaudible, both speaking)

Ellsberg:

I've certainly been made aware that people are very, very sensitive about any analogy whatever.

Announcer:

Yeah.

Ellsberg:

And really it isn't so much a matter of analogy in mine as a question of whether we have anything to learn from the experience of the German people and the German officials during that period. After all, they were confronting what many of them were increasingly able to perceive as an extremely evil policy and yet we hold them accountable. Generally Americans hold the Germans accountable for having done very little, and certainly very little that was effective, to oppose that policy of the changing. We hold them accountable despite the fact that we know that they were subject to unusual propaganda and threat, threats or immediate threats to their lives, and their freedom before that in concentration camps. Now, it seems to me that people who shy away from that analogy are often idiots in the possibility of learning anything from their experience even to ask them-

selves do they really still hold the view that the German people are subordinate officials in the German regime, including those, for example, who were hold overs from earlier regimes, have any responsibility for that regime when they abhored it and yet continued to serve it. If we do believe that they have that responsibility, what then do such people think is the responsibility of officials now at the point when those officials come to see the policy is both deceptive and very, very wrong?

Announcer:

Well, just like the Germans, and at that time through propaganda and, of course, their devils, Jews and communists and enemies all over, we have our devils so we have had devils in the Soviet Union, devils in China, devils in North Vietnam, we either label them as Ho Chi Minh or (inaudible) but he's gone. We can't label anybody else because there is no large name up there we can show biz too well but what we label them now is communists and that whole business has made our devil for the American people to say perfectly all right to do anything against the devil.

Ellsberg:

Of course, (inaudible), perhaps the most plausible devil that any human has presented for a long time and

really when one thinks of his deliverate destruction of not only the Jews but of many other people in death camps, it's easy to understand why people are outraged at any kind of an analogy; but really I think that if we are to learn from the German experience as we could, perhaps it's best to set that particular policy aside cause after all even before the extermination began in December of 1942 and on into 43 and 44, long before that we felt that there were a good many things wrong about German policies, in fact we had been at war with Germany for a year at that time, and when we look at such episodes as the invasions of the Rhine land, Austria, Czechoslovakia, all of which by the way were done with (inaudible) support once they were successful in Germany and without the cost of a life essentially, there may have been a few in accidents I think (inaudible). Then I think there's more to compare

Announcer:

There was just nobody to answer to, I mean these decisions were made in secret and private and there was nobody to answer to like there is an electorate here even though we're not (inaudible) to the amount of computer ratings.

Ellsberg:

Yes indeed, there's far more information about the

policies and yet there are certain disturbing similarities. The Laotian, not to go back to the period of the Pentagon Papers, the Laotian-Cambodian decisions were obviously made in great secret and one other analogy is almost more disturbing than that. Not only were the American people undoubtedly lied to by White House spokesmen and others about the decisions that led up....the decision that led up to that, we know this from the amount of leaking that did occur, but that leaking and (inaudible) that did occur made it quite clear that many officials, and probably Secretary Laird and probably Secretary Rogers, disagreed strongly with both of those decisions, and particularly Cambodia, and yet we found those officials, let us imagine that that is true, we certainly did find them standing up in public defending without the slightest reservation the necessity for those operations. If it is true, and I cannot say that we know this for certain, we haven't been really any of the data comparable to what's in the Pentagon Papers at this point about the Nixon (inaudible) and if there is enough evidence to imagine that it is true, if it is true, how should we judge that performance in the light of their responsibilities to the Constitution and to the people of this country.

Announcer:

I think what you've often discussed in one of your

essays is the difference of the runaway executive and the executive branch of the government now makes all these decisions that Congress has, in fact, sapped most of its strength by partisanship and other selfish motivations and we will discuss this right after news and weather with Daniel Ellsberg and your questions and comments as well at 254-5678 as we discuss papers on the war.

Ellsberg:

(Inaudible) seeing it the way they do and feeling it way they do or maybe along with their children or very close friends but that their neighbors don't feel that way. I think that if they listen to what we've heard tonight, a number of people there, they should learn a lesson that there are more Americans around than they may realize who feel much the same way they do and they can draw some strength from that.

Announcer:

Well, being triple A cynic, I still don't know.

Hello.

Caller:

Hello.

Announcer:

Yes, sir.

Caller:

This is Jerry?

Announcer:

Yes, sir. You're on the air.

Caller:

As you know (inaudible) I'd just like to express a few things here.

Announcer:

Where you from?

Caller:

Dr. Ellsberg.

Announcer:

Where you from?

Caller:

New Derry, Pennsylvania.

Announcer:

All right.

Caller:

I sort of feel the same way as the last call, the woman, and also the very touching call from the veteran we had there and that it is from this part of the country,

I feel the same anguish that these two callers feel and I have....didn't serve in Vietnam. I have (inaudible) numbers which put me high enough that I didn't have to but I have to share in the guilt inasmuch as my four years at school I really didn't become aware. I sort of as many people that convenient to accept what the administration's telling you, very convenient not to oppose it when so many other things to do, but I sort of share in the guilt then even though there have been massive demonstrations in Washington, didn't seem to have any direct effect. God only knows how much more involved we'd be there now if we hadn't had those seven years ago and that also if people, I just hope I'm wrong. I also pride myself on being an observer of the human condition and I also think that people are not morally strong enough in this nation and they will go for another four years of Nixon. I just pray, God, that I'm wrong. I'd like to give my heart-felt thanks to Dr. Ellsberg for what he's done, and trying to do.

Ellsberg:

Thank you. I know what you're saying. Maybe we should take hope. I seem to be scraping; I am scraping. I think to act you have to have hope and we have to have hope and we have to act if we're going to be (inaudible) and I don't think President Nixon will do and maybe we can take hope

For example, in the apparent need that these presidents have had to lie to the American people so much because in a way that is a kind of tribute. I hope that they've been right. I hope that they've been right that they had to deceive us about what they were doing and what they intended to do. We notice, for instance, that President Nixon is choosing in what appears to be an almost over unbelievable distortion is presenting itself as a man of peace, as a peace candidate and a peace president. Now again would you take some hope for the American people that he feels that that is the way that he must present himself. It's discouraging as you suggest that after dropping more bombs than any man in history, 3.7 million tons of bombs, almost twice as many as we dropped in all of World War II, that he could be seen as a peace president. Now there's a statistic, cold statistic, and of course we heard tonight the real meaning of that statistic from a man who has seen on the ground what those bombs do to human flesh when they hit.

Announcer:

What's disturbing me is the people who make these decisions in the executive who feel that they can so easily deceive us, you see. Not that one must be presented as a man of peace but rather we can say this and the American people will accept it and not know. See, that's what dis-

turbs me.

Caller:

(Inaudible)

Ellsberg:

Something I feel like asking, not to you because it would just be rhetorical in your case, but to other interviewers, that is people who have an audience, sometimes a nightly audience, who express this opinion that the American people see him as a man of peace or believe he will end the war or don't care and so I feel like asking them, do you feel any responsibility for that? If its your own perception that the American people are so misled, so mistaken. Are you totally neutral about that? Do you feel that you don't have any responsibility about changing?

Announcer:

I personally would answer that I

Ellsberg:

(Inaudible, both speaking)

Announcer:

(Inaudible) in fact, as a matter of fact, people call me all the time and say, well, they're tired of hearing about the war. But commerically speaking, I mean (inaudible)

Ellsberg:

What do you think about your collegues though.

Announcer:

Are you interested in this, sir? I don't want to hold your real on the long distance.

Caller:

Yes, I'm very, very interested.

Announcer:

Yeah, well you go back to the radio cause I don't want to waste your money for Ma Bell. You can hear this discussion.

Caller:

Yes.

Announcer:

My feeling is that, I've said this many times that if one of the major networks would take the time and effort to send a team of people into Vietnam and just film without rank or abias or prejudice everything that there is to be filmed, North, South, South Vietnamese government, give a chance for the North Vietnamese negotiators to have their say, view the devastation on the South and the North,

see what the alternatives are, truly what the alternatives are, where would we go, get public statements from everybody, speak to civilians, go to refuge camps to photograph and see the whole thing and then let one of the major networks do that for four hours every night for a week, that is about 28 consecutive hours now, I mean if one major network can see fit to in three or four consecutive nights do "War and Peace" by (inaudible) which I thought was poor, a poor film, why won't they do that in an effort to end the war?

Ellsberg:

That's right. So why do you think they don't do that?

Announcer:

Because I decide, oh they don't think that's their main business. I think their main business is to entertain and to advertise and to make money and that their main function is what I've just outlined as an advertising medium and not to do that. That they're also afraid of the repercussion.

Ellsberg:

Once in a while something does get through that shows people the human side of this. That one photograph

Announcer:

It's so rare. Right.

Ellsberg:

That one photograph of the little half-naked girl running down the road with her back burning from American-made bomb.

Announcer:

I think a couple object to it. We get people who complain about those things. But why does your network show such things.

Ellsberg:

You know, I remember very much

Announcer:

Why don't they show what the North Vietnamese are doing to the repu....I'm for that to. Let's see that.

Ellsberg:

There was one issue of Life magazine and I'll bet you remember and most Americans remember. Hard to forget. I remember the day I saw it. It was an afternoon when I was working at the Rand Corporation in Santa Monica, still working for the government, government research, and I picked up this copy of Life in the lobby where a guard was reading it and its the one, took it up to my room, and it

V9

was the one that just printed quality photographs

Announcer:

Of My Lai?

Ellsberg:

No, of the Americans, just the Americans, not Vietnamese in this case. The Americans who died in one week. Remember this? It was about two hundred or so.

Announcer:

Yeah. (unintelligible, both speaking)

Ellsberg:

They could have done the same witn Vietnamese except that you know we don't know their names and faces.

Announcer:

Well, I mean, why should we expect the media, the television, to do...(inaudible) to do anything because they have the (inaudible)

Ellsberg:

Just the Americans. So Life found the imagination and the courage to do that one. I remember my reaction. I was already against the war. I was trying to get us out though I was working on the inside at that time. I wasn't (inaudible) taking a case to Congress or the

public but I was trying to advise executive officials on how to get out and I saw that and then I went (unintelligible) and I started crying, closed the door and I was crying, because I felt I knew all those faces. I had a rifle company in the Marine Corps. This was two hundred twenty-two men. Well, this happened to be about two hundred, two hundred and eight men, if I remember. It was the same number and the faces were exactly the same. That came through even to me. I was against the war. I was seeing my company wiped out that week.

Announcer:

Well I think the networks just simply don't deem themselves as having that kind of responsibility and if I were Frank Stanton I would say let's...let's do that. I mean what is a week? Lose a week's revenue and let's do it. I'm sure one of the major oil companies or somebody else would underwrite as a matter of fact.

Ellsberg:

It would be more than that on revenue. It would be confronting, it would be challenging, the President. By doing nothing more than telling the American people the truth there'd be

Announcer:

We only get ninety seconds of it at night. Ninety seconds is what we get.

Ellsberg:

Yeah.

Announcer:

No more.

Ellsberg:

Yeah, but challenging the president, even showing disrespect, would not only be risky for the president, they'd face the kind of charges that Ramsey Clark has faced and he came back with firsthand views of what was happening over there.

Announcer:

Well, (unintelligible)

Ellsberg:

And that's not easy for any American to here.

Announcer:

Yeah, I can understand that.

Ellsberg:

I can tell you. I can tell you it's not easy for any American to hear, if any American to here from another

American and I

Announcer:

Well, as Jimmy Durante would say, them is the conditions that prevail and sometimes you have to understand where you're going to get it from, from all sides. You take a middle-of-the-road position sometimes, you're getting whacked by the left and by the right and you have to take those positions or else we don't survive as a nation. I think that television has the big impact. The president of the United States knows the impact of that tube. I mean, if he understands the impact of ninety seconds on television at night and I'm trying to think of the black power guy, what was his name? Became famous in ninety seconds yelling, "Black power in Mississippi" some years ago. What was his name?

Ellsberg:

Stokley Carmichael?

Announcer:

Stokley Carmichael. I mean, he became an international personality in effect by ninety seconds of yelling, "Black power in Mississippi" on a (inaudible). I'm saying that that medium is so powerful and has such great impact

Ellsberg:

Well, you talking about loss of revenue and so forth but obviously a kind of fear is involved. Let me ask you. You know you are presenting this to your listeners and I'm sure (unintelligible, both speaking) you're not going to be thanked by all of them and I'm sure. On the other hand there's a lot of people with shows the same format as this and amount of time who don't do anything like it and I can tell you from what I have been around that a lot of them are run by people who will make it clear to me before the show or after the show but though not during the show that they feel much as you or I do. What's your explanation as to why they don't (inaudible, both speaking)

Announcer:

The people who are on the air I'll bet you are merely pawns. They're the talents that doing these things. No I don't.. I don't see myself alone because the management here is different.

Ellsberg:

Each station is the management?

Announcer:

Yes, oh yes. No, it's the management. Management. That's for the (inaudible) of this job.

Ellsberg:

How would you act on a different station?

Announcer:

I wouldn't have that job. I wouldn't. I would not do the job.

Ellsberg:

No, so it's not just the money.

Announcer:

Or not free I wouldn't do the job.

Ellsberg:

Why do they do it?

Announcer:

Because of money, that's all.

Ellsberg:

You don't need money?

Announcer:

I need it but I don't need it that bad. Somebody hires me they know pretty well what they're getting and I think the war...

Ellsberg:

All right. Why do people need money that bad?

Announcer:

Well....

Ellsberg:

To use...to use

Announcer:

Because that's....

Ellsberg:

To use or a rostrum.....

Announcer:

That's the way it is.

Ellsberg:

in effect is what we are here in order to really condone.

Announcer:

Yeah.

Ellsberg:

(inaudible)

Announcer:

That's the way it is. I'm afraid that's the way my colleagues in the business have to....have to put that...

Ellsberg:

(inaudible) someone as having a responsibility you think that they are neglecting?

Announcer:

I think they sometimes they go home and discuss it. Not for long cause tomorrow night we'll be discussing ESP and forget it. Now excuse me just a minute. Daniel Ellsberg is here. The spirit of New England. WBZ Boston. Group W Westinghouse broadcasting.

In case you tuned in a bit late, Daniel Ellsberg is here. His new paperback is called Papers on the War and has to do with his views on the war, official secrecy and things of that nature. But his trial is in limbo at the moment waiting for the United States Supreme Court to make rulings on the use of wire-tap by the Government on people who are implicated in this trial. Let's begin at 254-5678. Hello.

Caller:

Hello.

Announcer:

Yes.

Caller:

I just wanted to take this opportunity to thank Dr.

Ellsberg for what he's written and what he's done. It's been a real lesson to me and I'm really grateful and I read Papers on the War and I wanted to ask Dr. Ellsberg his, well, like I'll give you my impression of something that I've seen. You stated in that book that you considered yourself a war criminal or you recognized that when reading that it was...that you were probably the only person there that could be held at a war criminal trial. Now since then I've seen you with William Buckley. That was (inaudible) and a few other times I read a review in the New York Times of Papers on the War and the whole attitude that completely discounted the seriousness with which you made that statement you know. Now you have said something too in Papers on the War about how you know you felt that people in America hadn't taken some of the responsibility for what's been happening, you know some of the guilt for what's been going on. And I was wondering if you think the refusal to see or to do anything about the war has anything to do with like their denial, their refusal to accept responsibility, and whether it all ties in with the powerlessness that you know people still feel, that I still feel, about the war. You know I feel like I can't do anything. I'm willing to take on responsibility but you know where do I go with it?

Ellsberg:

Yeah.

Caller:

I'd just like to know what you think.

Ellsberg:

Yeah, well, several points there. Incidently my ears perked up when you thanked me as a writer. The first time that I've heard that and you went on to say you've read Papers on the War. That's again the first time I've heard that from a listener so that gives me a very warm feeling.

Caller:

Good. Passed it on.

Ellsberg:

Thank you. But one of the points you raised on that last chapter in the mention of war criminal which Buckley did raise, I found I've been misunderstood a great deal on that from the way I put it. The...I certainly didn't mean to be pretentious or give myself air. Some people think that I'm comparing myself directly to Albert (unintelligible) who is after all the number two man in the regime. Did you get that impression from the chapter by the way?

Caller:

Well, I didn't, you know I really did not.

Ellsberg:

Others have had....No, I certainly didn't mean that. I meant that I felt there was something to be learned from what...

Caller:

Right.

Ellsberg:

(unintelligible) had learned from his experience he reflected on it in twenty years in (unintelligible) Prison. But I...my comment on being a potential defendant was comparing myself to the people at a particular conference, none of whom had been officials in the government during...at all during the Vietnam war and I was just making the point that as an official I think without at all exaggerating the responsibility that I had which was not very great, I don't think I effected...I tried to influence some things but I don't think I succeeded in anything. But that as an official who as (unintelligible) says who had participated in the process, who was involved in it, that I bore more responsibility for the consequences than someone on the outside and I say that without saying

that the voters in this democracy and the press and other people had no responsibility, they did, but I do think as I say in the book that the responsibility of those lied to is somewhat less than the responsibility of the liars; and although I wasn't the active liar because I wasn't speaking to the public, one other reason, and I tried in fact to speak truth as I saw it to my superiors, I did keep quiet about lies that I knew about and that to me, and some of those lies, led I think to getting us deeper and deeper into war in ways that cost fifty-five thousand American lives and hundreds of thousands of Indo-Chinese so I believe that that silence did give me to say the least a responsibility to speak out now and I'm sorry that other officials in the division haven't felt that. But now coming to your other point which is really one to keep coming back to, what responsibility Americans should feel. I felt as you suggest over the last couple of years that a lot of what passed for apathy or indifference on the part of the public, including the previously active campuses, was not that at all but was really a kind of desperation and frustration, a sense of impudence as you say, a sense that they really didn't know how to use power and really that was pretty realistic in those years. The degree of control the executive has come to have in foreign affairs and war and peace as such, it's hard to say they're subject

to democratic pressures from the public, especially with the collaboration of the media such as it is in deceptions and false images of the war. I think really as we look at the...if we think of the processive branch of government as a fourth branch protected by the first amendment and try to evaluate, I think they have lived up to their responsibilities which have to do with informing the public really, including informing them about the government, better than any other branch and yet very badly and we're feeling the price of that right now in the delusions that persist. But nevertheless this year, this month, I don't think people have the right or the excuse really to feel as impudent as they did in previous years because I think they do have a choice, not a choice between as I said an angel and a human, they have a choice between two humans one of whom I think is dedicated to continuing the war and one who will end it. And a lot of people find different reasons for drawing from the...from this election. That includes a lot of people who are anti-war. People have called in and said,. and Jerry is asking, don't I believe that the anti-war people will vote for McGovern. Unfortunately I have heard a lot of people who have given one reason or another why they may not vote at all or if they do vote

they won't contribute or they won't work and so forth. That to me has no realistic justification in view if you really do care about this war. I think that nothing less than a full effort to try to get it ended by dethroning Richard Nixon can be justified.

Announcer:

Well, we have to get on to our next call. Thank you very much.

Caller:

And thank you very much.

Announcer:

Eighteen minutes to eleven on WBZ radio. If you have some disagreement let's here from you at 254-5678.

Returning to Dr. Ellsberg and your calls. Hello.

Caller:

Yes.

Announcer:

You're on the air, Doctor.

Caller:

I am?

Announcer:

Yup.

Caller:

All right. Now I wanted to first of all say to Dr. Ellsberg I have to extremely admire him for what he's done with the Pentagon Papers. I think it showed a tremendous amount of courage and I think that we know what he is going through and what problems face him and I think he's showing a tremendous amount of courage in doing this. I'd like to ask him one question and I'd like to listen on the air because I am calling long distance from Minneapolis. And I'd like to know exactly how involved was the CIA in the overthrow of President Diam in 1963 and what role if any did John Kennedy directly or indirectly play in this overthrowing.

Announcer:

All right. Back to your radio Minneapolis. Thank you very much for calling.

Caller:

Thank you.

Announcer:

Bye bye.

Ellsberg:

Thank you. I won't give this in any detail because this story can be found I think even in the Bantam book on the New York Times version of Pentagon Papers gives it quite well. A much better account would be the, I guess it's volume two of the Beacon Press four volume edition of the Pentagon Papers that gives this story in great detail. So very briefly, John Kennedy did essentially accept the recommendations of some various people although there were others who opposed it in the (inaudible) August of 1963 that in particular Diem's brother (inaudible) had to go and if necessary Diem might have to go with him. This was conveyed to various Vietnamese military at the time. We had the impression that the....they chickened out as we saw it and didn't go through with that but it turned out that they were essentially awaiting the signal that the U.S. really supported them and he essentially gave them that signal by cutting off the aid program, the commercial import, economy import program that supported their defense budget whereupon the Ku (phonetic) plans went immediately into effect again. There was a liaison CIA agent with the Ku plotters, liaison between Ambassador Lodge and the Ku plotters who was kept in close touch with them and the details of this are told pretty well in the Pentagon Papers documents.

Announcer:

And he could find the details in the New York Times paperback as well. Is that right?

Ellsberg:

Yes, right.

Announcer:

Okay, sir. Thank you very much. Let's continue along with Daniel Ellsberg. Hello.

Caller:

Hello.

Announcer:

You're on the air, sir.

Caller:

Hello. Jerry?

Announcer:

Yes, sir.

Caller:

This is Mr. C. First I'd like to commend Dr. Ellsberg for bringing the truth of what happened in Vietnam to the American people and how he got greatly involved.

Announcer:

Where are you from,. sir?

Caller:

I'm from south of Boston.

Announcer:

South. I thought you were long distance.

Caller:

No, I'm not.

Announcer:

All right.

Caller:

No. Local. I've heard it said that if the Rockefellers and the Bundys and the McNamaras and the (inaudible) were made to meet the flights coming in at East Boston airport in the middle of the night with our wounded and dead, they perhaps wouldn't pursue this conflict as far as they have but my question to Dr. Ellsberg is this. As early as April 3, 1954, I understand that Dellis (phonetic) under the direction of Eisenhower had requested planes from the Boxer and another carrier to intervene in the war that was ending between the French and the Vietnamese at Bien Bam Fu and there were eight members of Congress present who

were asked to give sanction to give orders to interfere and was it as far back as April 3, 1954, that the policy of containment began or was it before that, Doctor?

Ellsberg:

The policy certainly began well before that. The Domino Theory for example is often attributed to Eisenhower in a press conference as of that spring of 54 but as a matter of fact, although the Domino image was new in that press conference, if you look at the Pentagon Papers volume one which deals both with the Truman period and the early Eisenhower ....

Caller:

I have both of your books.

Ellsberg:

including Geneva, you find that in every detail really that theory of why we had great stakes in Vietnam was expressed in the State Department under Acherson (phonetic) and under Truman and the substance of it didn't really change. In fact Acherson in later years after he retired used to comment that he had not differed in policy from Dellis as much as people believed, he differed in rhetoric somewhat but the basic policy was the same.

Announcer:

Thank you, sir. Next call please for Dan Ellsberg. Hello.

Caller:

Hello.

Announcer:

You're on the air now.

Caller:

Hello, Jerry?

Announcer:

Yes, sir.

Caller:

May I talk with Dr. Ellsberg?

Announcer:

Yes, go ahead (unintelligble)

Caller:

Dr. Ellsberg, I don't agree with you completely but I do admire the honesty integrity that you've displayed in acknowledging your role in disclosing the Pentagon Papers but what I do find very ironic is that you acted in according to your conscience in disclosing the Pentagon Papers and on the other hand which was in an effort to or in the direction of peace with a non-violent action. And on the other hand a General Lavelle acted according to his con-

science and during a period when the Government of this country was making efforts to achieve peace and bomb North Korea...North Vietnam rather more intensively and on top of it lied about it and that he was given a slap on the wrist and was given practically a tax free pension of or he was given a pension of twenty-five thousand dollars, twenty-three thousand of which was tax free and you in the efforts you made that you have the possibility of a hundred and five years in jail and this seems to be sort of a upside down type of arrangement, that your efforts to achieve peace have resulted in a... or not resulted but could possibly mean a hundred and five years in jail whereas our General Lavelle's actions result in the complete contrary. Could you comment on this please?

Ellsberg:

Well, I have noticed that irony. (inaudible) to say about it exactly. I do have a feeling that the analogy isn't quite as close as it might look on the surface because listening to General Lavelle testify before Congress being a sense of him I have my doubts as to whether he really acted as insubordinately as the administration let it appear. He himself, of course, claimed

that he believed that his...he had reason to believe that what he was doing was well known and understood to higher authorities and was accepted and approved by them. He didn't know I guess how high up but I think there is a good deal of evidence for that. Cy Hirsch (phonetic) has recently had, who revealed the original story on Lavelle after a sergeant had blown the whistle on him, has now revealed that at least two hundred officers and men were involved in falsifying these reports. Now that's mainly below Lavelle I think.

Caller:

That report was made only very very recently.

Ellsberg:

That's right. I have a suspicion...my impression of Lavelle was that he was an extremely obedient, disciplined military officer.

Announcer:

What you're saying (inaudible)

Ellsberg:

And I'm very doubtful that he did that on his own.

Announcer:

General Lavelle may have connections to higher.... to higher people in government and they may very well be

giving him the....(inaudible)

Ellsberg:

What I think the explanation for why he isn't facing let's say what I'm facing is that in fact he was correct in thinking that he was pursuing the president's real policy. The president did not choose to let the American people know about that and know what he was doing or how negotiations were being endangered. I would suspect by the way that this was not with the will and negotiations be broken off but that the White House was accepting that risk.

Announcer:

I have to interrupt you at this point and we'll be back in a moment with Dan Ellsberg, Papers on the War. In case you have not had the patience to read the New York Times version of the Pentagon Papers or the four volume series by Beacon you at least can get some ideas about what Mr. Ellsberg thinks and you're getting them tonight at 254-5678.

Hello America. Welcome back. In case you tuned in a bit late (inaudible), Daniel Ellsberg is here. His new book is called Papers on the War. It is a paperback and has to do with Mr. Ellsberg's feelings about the war,

the responsibility of officials of the war, the bombing, the policies, the U.S. policy and South Vietnamese politics, the background of Vietnam from 1965 to 67, and an extension of an essay called the Quagmire Myth and the Stalemate Machine. He's here with us and we're answering calls and comments at 254-5678. Let's begin with the calls right on. All right? Hello.

Caller:

Hello, Jerry.

Announcer:

Yes.

Caller:

Last week I happened to tune in about eleven forty-five and heard that Vietnam Veterans and I cried again. You know didn't sleep all night again. Mr. Ellsberg said a little while ago that many Americans are literally crying and I think he's right. But tonight in the....in this morning in the Globe according to a Harris poll sixty-four percent to twenty-two percent of the American support the continued bombing in Vietnam. What more can we say than anything like....anything like that only I just...it's inconceivable to me but apparently it goes on and on. I want to go...may I speak to Mr. Ellsberg, Dr. Ellsberg, for just a moment please. Dr. Ellsberg,

we can go back quite a while right after the Pentagon Papers were first....the whole furor. You were on Dick Cavett Show and you...in the course of your remarks you mentioned something very interesting about women, something about that women seem to see these things before you did at the time, and shortly afterwards the Boston Globe had a transcript of practically a whole speech and they left that out and I wrote in and got the full transcript of it. I thought it was quite good. Before a lady called and she was practically in tears and again you mentioned women, that again you said that you find this more often with women. Well, I...I've done all that I can do as a woman really. I've marched, I've done other things, I've gotten into politics, I've...I got myself elected as a delegate to the convention, I've followed McGovern all the way, I'm working very very hard, one foot in front of the other, you know, all the way. And before you spoke about the press and television and media, the rest of the media. You spoke about the choice we had. I have found the past couple of months that the press and the radio and television and some of Senator McGovern's own supporters unfortunately are ripping this man apart. They want everything from him before he is elected. I find special interest groups are acting in the same way and this is what's really making me very

depressed right now along with other things. I can cry. I could cry when I hear certain people talk. What can we do? We're working as hard as we can. I still am a (unintelligible) optomist. Like the old punching bag, punch it down and it pops up again. I'm still very optomistic about Senator McGovern and I don't care what the polls say. I don't care what the (unintelligible) say, but you spoke about the responsibility of the press and people on radio. What can we do?

Ellsberg:

Well, I wish I had a.....

Caller:

I know you don't have a (Unintelligible).

Ellsberg:

You know, it's easier for me in a way because I do think that the more people under....focus on the issue of the war as a real issue the more I think they'll undermine what those polls say. I don't believe yet that the American people really are indifferent

Caller:

(Unintelligible)

Ellsberg:

(inaudible) or inevitably and that they really can't support four more years of this bombing if they really face the fact that that's what is involved as I feel very confident it is. And so just when this break in my trial came along very unforeseeably and at the same time the occasion of my book gave me an opening to get on programs like this, it was very easy for me. I'm not connected with the campaign at all but....

Caller:

I understand.

Ellsberg:

I said okay, I'll get around....around the country and spend this recess in the trial to talk about the war. And others can do that in terms of relating directly to the campaign which I can do. I don't know the contacts. I'm told that there's lots of organization troubles in the McGovern campaign. People don't even find it easy to find jobs but that's what has to be done.

Announcer:

All right. Thank you.

Caller:

Okay.

Announcer:

Bye bye. 254-5678. Hello.

Caller:

Hello.

Announcer:

You're on the air with Dan Ellsberg.

Caller:

Yes, Jerry.

Announcer:

Yeah.

Caller:

Mr. G in Natick. I wondered if I might ask Dr. Ellsberg a question.

Announcer:

All right. Sure. Go ahead, sir.

Caller:

Dr. Ellsberg, I'm just wondering whether or not this stake in South Vietnam may not be so much to stop communism as it is to save something that may be in the rice paddies that's a little more material and a little more tangible than ideology and I'm referring to a con-

versation I had about a year ago while on vacation with a young oil executive, not an American citizen, who is connected with an international oil company. At that time he told me that the rice paddies in South Vietnam represented the largest undeveloped oil field in the world and that in his opinion the war was largely hinging on the control of that area and I wondered whether you had any.....

Ellsberg:

Well, what do you mean? He may well know more about the decision making than you or I do. That the news is out that the long search for oil in that area has been rewarded with very promising finds. That came out really about two years ago now. On the other hand to say that was as recent as that is to say it can't explain our earlier decisions. I think that, for example, it's now clear that President Nixon's course was pretty well set even before he came into office and certainly early in 69 which I think was before these oil finds were found. On the other hand...

Caller:

(Unintelligible)

Ellsberg:

What has to be justified to the American people I guess is not the....is a smaller war as far as they're concerned in terms of American presence, American casualties, and so forth. And it may be conceivably that a justification like oil will count for more in the future than it did in the past. One thing that worries me is that I think a lot of the people who are disallusioned with the war were so because they really could think of no national interest, no rational reason for staying in at all. I was afraid that all this talk of the oil could convince them well maybe there is a reason for some people at least and they would...they withdraw their opposition. I hope that doesn't happen.

Caller:

Well, it seems to me a pretty specious reason for a lot of people to die.

Ellsberg:

It obviously couldn't justify really what we're doing.

Caller:

No, obviously couldn't.

Announcer:

Sir, thank you very much. Next call please for

for Dan Ellsberg. Hello.

Caller:

Hello.

Announcer:

You're on the air. Turn off your radio now please.

Caller:

Right.

Announcer:

All right. Go ahead.

Caller:

I'd like to ask Daniel Ellsberg a question too please.

Announcer:

Yeah, go ahead, sir.

Caller:

Are you a member of the Council on Foreign Relations, Mr. Ellsberg?

Ellsberg:

Yes, I am.

Caller:

I see. Well, I think the conversation has gone as

in taking a position against the establishment. If any organization is establishment, wouldn't you say that CFR or Council on Foreign Relations does represent the ruling establishment?

Ellsberg:

Yes, that's how they see themselves and I might say that they would want it known that they don't endorse what I've been saying I think.

Caller:

Yes, but I think your listeners should realize that you are a member of this organization which consists of the top industrialists and really the people that are running the country.

Announcer:

How about the organization you're a member of?

Caller:

Well, you can talk about that if you'd like to.

Announcer:

You....(unintelligible, both speaking).

Caller:

But we're talking about Mr. Ellsberg tonight.

Announcer:

Well, cause I happen to recognise the party line. See. Maybe Mr. Ellsberg doesn't but what organization do you belong to?

Caller:

Well, what's the party line we're talking about, Jerry.

Announcer:

I'm talking about the John Burke Society party line.

Caller:

In other words, if the John Burke Society tells the truth about Dr. Ellsberg being a member of the Council on Foreign Relations.....

Announcer:

But what he just said was that the Council on Foreign Relations doesn't particularly endorse his views at all.

Caller:

Well, the fact that he chose to be a member of this elitous group which consists mostly of bankers and internationalists and oil people such as the Rockefellers and and supported by private and...I mean public trusts like the Carnegie Foundation, the Rockefeller and Ford Foundation...

Announcer:

Well, what (unintelligible)...what member..are you a member of that organization?

Caller:

No, I'm not.

Announcer:

But you know...what book did you get this from?

Caller:

It's in every book. This came...this happened to come from....

Announcer:

What...what recent book have you seen it in?

Caller:

That's not important.

Announcer:

But I just like to know.

Caller:

No, I don't think it's pertinent to this .....

Announcer:

Oh, sure it's pertinent.

Caller:

But I think the recent.....

Announcer:

In a book written by a member of the Burke Society called...See if you won't do it then I'll do it. It's a book called None Dare Call It Conspiracy which is a sequel to a book that went after President Johnson called None Dare Call It Treason. It's filled with anti-semetic, anti-dionist (phonetic), all sorts of conspiratorial themes that....

Caller:

Yeah.

Announcer:

revolve around the Burke Society. Theories. Not.... People don't know what it is because to them they can make a better judgment.

Caller:

Why do you have to sneer me, Jerry? Why do you have to sneer me?

Announcer:

I'm not sneering you. I'm talking about the book.

Caller:

I asked a simple question to Dr. Ellsberg.

Announcer:

Dr. Ellsberg said he was a member of the Council but that...(unintelligible)...

Caller:

He is a member of the Council.

Announcer:

Yeah, but it doesn't agree with his views.

Caller:

Is he a member of the Council?

Announcer:

What, is this his trial?

Caller:

No, I'm just asking the question.

Ellsberg:

You've heard me say that I am.

Announcer:

He said yes.

Caller:

Okay. Well, he is also....If you want to speak about the Burke Society, they do have a dictionary, a biographical dictionary, of the Left.

Announcer:

They're....Yeah, they're really a wonderful, responsible organization.

Caller:

In which Dr...in which Dr. Ellsberg also appears.

Announcer:

Oh, really?

Caller:

Yeah.

Announcer:

What does he appear as?

Caller:

There appears a little background on Dr. Ellsberg.

Announcer:

Yeah, but what does it say?

Caller:

Frankly, I haven't read it but I know he...in the

recent edition....

Announcer:

Yeah, but what category do they have him in?

Caller:

I don't know because I haven't read it.

Announcer:

No, wait a minute. There are lots of categories there's com-symp (phonetic), there's com-dupe (phonetic).

Caller:

Well, let's put it this way. Neither....

Ellsberg:

(Unintelligible)

Caller:

Certainly Mr. Ellsberg is not pictured as a member of the anti-communist group, I would say. Is that correct?

Announcer:

I might add that neither is President Nixon.

Caller:

That's correct.

Announcer:

Which category is President.....

Caller:

But I...But I would like to just....

Announcer:

Now wait just a minute. Which category is President Nixon?

Caller:

Which category is he in?

Announcer:

Yes.

Caller:

Well, let's put it this way, he is very closely related to Mr. Kissinger, is he not?

Announcer:

Yes.

Caller:

And Mr. Kissinger has been a long-time employee of the same organization that Dr. Ellsberg is a member of.

Announcer:

Right. I'm just asking you what category do you

place Mr. Nixon?

Caller:

I'm telling you. The category.....he's in the same category as these global intelec....internationalists which this....the international global people who want.... (unintelligible)

Announcer:

International..?

Caller:

to make beautiful one world...a one world concept.

Announcer:

And the zionists. Are they zionists?

Caller:

I didn't say they were zionists.

Announcer:

I'm asking you if they are.

Caller:

These are the international bankers, the elite.

Announcer:

Are they Jews?

Caller:

And...Look it, Jerry. Let the little kiddies be little kiddies who are sucking in every word that you're saying realize that Dr. Ellsberg is as much of the establishment as anybody can be. And..and I'm....

Announcer:

How come he's under indictment?

Ellsberg:

I hope my prosecutor is listening.

Caller:

Well, I don't think he has to worry very much for that reason.

Announcer:

Oh. Do you think that's all just a ploy?

Caller:

I think Dr. Ellsberg hasn't got one little whimper of a reason to worry about being incarcerated in prison.

Announcer:

Okay sir, thank you very much for calling. And that is really the ultra-right and I wanted that all out so that we could hear the ultra-right position on the so-called Council on Foreign Relations. I think you got us a

international Jewish banker, communist conspiracy, zionist plot...

Ellsberg:

You may take out of this conversation what strikes you but I must say what I heard was the best news I've heard in a while.

Announcer:

Well, I've just indicated to you that's the paradox and I think they view Mr. Nixon and those people on the Right as the worst appeaser and commi sympathizer... dupe, not sympathizer, but dupe. Those are those terms. So I wanted it all out in the open.

Ellsberg:

I just hope that the Justice Department doesn't take warning out from that call. I'm sure they heard it, by the way. They're listening to this. And I just hope they notice who they're dealing with.

Announcer:

Hello.

Caller:

Hello, Jerry. Dan Ellsberg.

Announcer:

He's here.

Caller:

Listen, I'm the plaintiff in a law suit that's coming to a head over in U.S. District Court in Columbus, Ohio, I'm calling now from Burlington, Indiana, against the Paris peace talks negotiator. I have developed an issue over the years claiming that the president helped to get the advice and consent of the Senate, not the House of Representatives, they're excluded, but the advice and consent of the Senate of our negotiating policy at the Paris peace talks. And number two, that the president has to get the advice and consent of the Senate to appoint the negotiator. Now the president has not appointed William Porter with the advice and consent of the Senate and I am suing Porter to get his commission denied and to force the president to come to the Senate with a nomination to get the Senate's confirmation on the negotiator and in that process the Senate will control what the negotiating policy is. And one of the things I thought Ellsberg did which I thought was marvelous and patriotic is that he brought the secret out into the public over to the Senate and that....you see the president is supposed to share all the secrets with the Senate and that is the

big fundamental Constitutional wrong that has been created and I've authored or I drafted a resolution for Vance Hikey (phonetic), Senator Vance Hikey, and he introduced it in the Senate July 26, 1971, and Senator Fullbright has promised hearings on the resolution but those hearings haven't come to pass. And I....so I just say I think the Foreign Relations committee has been too pre-occupied with war powers and not as....haven't devoted enough effort in the power to make peace which is the treaty making power and well, I just wanted to get that out and want to...like to ask Mr...Dr. Ellsberg whether he had gotten my writings or not that I sent him in the mail.

Ellsberg:

You didn't mention your name but I did get a writ from a Philip Randolph, I think? Does that sound right?

Caller:

I sent you all kinds of writings with all my treatises and large articles I wrote.

Ellsberg:

Do you...would you rather not mention your name. I can't...

Caller:

Oh, I can mention my name if it's all right with Jerry.

Announcer:

All right.

Caller:

Jerry?

Announcer:

Yeah.

Ellsberg:

What's your name?

Caller:

My name's Richard Webb.

Ellsberg:

Oh, yes. Yes, I did get that sometime ago. Thank you. And I....but you know the group that sponsored the ad but also the movement to writ of impeachment against the president has also written a thing which I recognize as sounding very similar. I haven't read the details of it but it was handed to me at a meeting (inaudible) and it looked very similar to this in its emphasis on the need to get advice and consent on the negotiator.

Caller:

You see, the House of Rep.....our founding fathers who built this great country, this great system of Bill of Rights and separation of powers, they didn't want the

House of Representatives to participate in the formulation of negotiating policy and they didn't want to let it to one man either.

Ellsberg:

(unintelligible, both speaking)

Caller:

Wanted the president and Senate jointly.

Ellsberg:

You've probably noticed better than I but maybe the listeners are worth mentioning it, that in looking at the history of the so-called Doctrine of Executive Privilege which is not represented in the Constitution, as you know, much is made of the fact that going all the way back to that era there was talk of the need for secrecy for negotiation. But actually as I read this record, they did reflect that need for secrecy by restricting the advice and consent on foreign affairs to the Senate which is the smaller body....

Caller:

That's exactly right.

Ellsberg:

in the House. But nevertheless not a terribly small

body. Now we're in a situation where certain kinds of information within the Executive Branch of the greatest importance for government in this....for self-government and for judging our official, can be known to literally thousands of people down to the rank of sergeant or corporal and up through Cabinet secretary, thousands but cannot be known to let's say ten or twelve people on the foreign relations committee let alone to the full hundred members of the Senate. People have asked me how it was, for example, that I had authorized access to the Pentagon Papers when the Senate was denied that four times formally by Mr. Laird, couldn't get it. And I have to say well, that's because I was working as a consultant to the Executive Branch and lots of papers that are handed out very freely, not the Pentagon Papers as it happens, but lots of others that are handed out fairly freely to anyone who is....works in any connection with the Executive Branch but which a high ranking Senator can't get.

Caller:

Ah ha.

Announcer:

Sir, thank you very much for the call. And I want

to thank Dan Ellsberg for being here. I know he has an early morning appointment for television and (unintelligible).

Ellsberg:

Thank you very much. I've enjoyed this journey, in particular both talking with you and hearing the comments from your listeners, I'm very moved by a number of them, and the opportunity to hear these comments is...well, tonight a specialty. It's been very inspiring for me. I need that.

Announcer:

I think your position brings out all sorts of views and sometimes my position, particularly on the war, I think you're being attacked because of your position on the war again, not necessarily a position with respect to the Pentagon Papers as your position on the war that stirs people up.

Ellsberg:

Well, anyway it's encouraging to know that there's many people out there who are as disturbed about what we're doing as I am and....

Announcer:

Well, I wish Mr. Harris found those same people and

I think he does and I have a tendency to be cynical again to think Mr. Harris is right and (unintelligible)

Ellsberg:

You get the last word here.

Announcer:

Thanks very much again.

Ellsberg:

Thank you.

Announcer:

Daniel Ellsberg, Papers on the War. We'll return in just a few moments.

The spirit of New England, WBZ Boston, Group W, Westinghouse broadcasting. This is Jerry Williams and I'll be with you another half hour if you'd like to comment further on what Mr. Ellsberg has said or other matters if you like at 254-5678 here on WBZ Radio.